



# County of Yolo

## BOARD OF SUPERVISORS

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(530) 666-8195 FAX (530) 666-8193  
www.yolocounty.org

First District – Michael H. McGowan  
Second District – Helen M. Thomson  
Third District – Matt Rexroad  
Fourth District – Jim Provenza  
Fifth District – Duane Chamberlain

County Administrator – Sharon Jensen  
Clerk of the Board – Ana Morales

March 10, 2009

Secretary Mike Chrisman  
Undersecretary Karen Scarborough  
California Natural Resources Agency  
Bay Delta Conservation Plan Steering Committee Members  
1416 9<sup>th</sup> St, Suite 1311  
Sacramento, CA 95814

Secretary Chrisman, Undersecretary Scarborough, and Committee Members:

The Yolo County Board of Supervisors would like to convey requests for action to the Bay Delta Conservation Plan Steering Committee. We've been given to understand that the recent presentations to the Board of Supervisors of some Delta counties did not convey information from the counties back to the Steering Committee. Thus we are trying to be certain that our concerns and request for response are communicated.

Enclosed is a set of the most recent policy documents adopted by the Yolo County Board of Supervisors on January 27, 2009. In the staff report itself are guidelines for Delta management decisions stating general principles and results desired from Delta-related decisions. The "Delta-Related Desired Outcomes List" shows a prioritized list of desired outcomes of Delta management decisions. The "Parameters for Delta related habitat projects" encompasses ground level, project related requirements that should be of especial interest to BDCP, since these are threshold conditions that should be designed into projects from the beginning. We recognize that some of the items in these documents aren't related to BDCP activities, but many are and we ask that you review them carefully.

Yolo County is in the cross hairs of BDCP's current conservation strategies. The January 12, 2009 draft of the BDCP contains a core element that proposes to modify the Fremont Weir and inundate the Yolo Bypass more frequently and for longer periods later in the agricultural season. Implementation of those proposals may cause, among other effects, the loss of over 60,000 acres of productive agriculture and jeopardize the 16,000-acre Yolo Bypass Wildlife Area. We feel this deserves direct, written assurance from the BDCP Steering Committee that the full impact of such massive change will be completely addressed. The completed Bay Delta Conservation Plan must incorporate the following, related to BDCP activities in Yolo County:

- Preserve tax, assessment and other revenue sources and mitigate the costs of increased public services;
- Mitigate economic impacts of projects and management changes;
- Maintain a viable agricultural economy;
- Protect the Yolo County Natural Heritage Program; and
- Protect the Vic Fazio Yolo Bypass Wildlife Area and agriculture in the Bypass.

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Office of the Secretary

MAR 12 2009

Please pay particular attention to the "Parameters" document, as noted above. We consider these items fundamental requirements for projects and proposals affecting Yolo County.

The BDCP process is rapidly moving forward, therefore we ask that you provide for us in a timely fashion substantive, responsive proposals for inclusion into the Plan. We hope these comments are sufficiently specific, and appreciate your consideration. Please contact me at 916.375.6440 or Julia McIver at 530.681.7372 if you have any questions.

Cordially,



Mike McGowan, Chair  
Yolo County Board of Supervisors

Encl.  
Delta Guiding Principles, adopted January 27, 2009

cc: Senator Lois Wolk  
Assemblymember Mariko Yamada  
Yolo Natural Heritage Program Joint Powers Authority Board of Directors  
Solano, Contra Costa, Sacramento, San Joaquin Boards of Supervisors

BOARD OF SUPERVISORS  
Yolo County, California

Meeting Date: January 27, 2009

To: CAO  
Co. Counsel  
Auditor  
Plan & Pub Works  
General Services  
Human Resources  
Parks & Resources ✓

7.01

1:30 PM Parks and Resources

Revise guiding principles for Yolo County's involvement in future planning and implementation for the Delta and receive presentation on the Bay Delta Conservation Plan. (No general fund impact) (Westrup/McIver) (45 minutes\*)

Recommended Action 7.01

Revised Recommended Action 7.01

Supporting Document 7.01A

Supporting Document 7.01B

Revised Supporting Document 7.01B

Supporting Document 7.01C

Minute Order No. 09-42: After a public hearing and presentation by Julia McIver, Manager Water and Conservation Programs, Yolo County Parks and Resources Department, and Karla Nemeth from the California Resources Agency, the Board of Supervisors approved the recommended actions, with edits as directed by Board input. (\*See above Revised Recommended Action 7.01, and Supporting Document 7.01B). The following individuals addressed the Board of Supervisors during the public hearing: Tim Neuharth, and Lynnel Pollock.

MOVED BY: Thomson / SECONDED BY: Rexroad  
AYES: Thomson, Rexroad, Provenza, Chamberlain, McGowan  
NOES: None  
ABSTAIN: None  
ABSENT: None

## YOLO COUNTY DELTA RELATED DESIRED OUTCOMES LIST

### Fiscal

1. Provide permanent funding independent of the state budget to pay in-lieu property taxes and fees on land used for habitat restoration or water conveyance, including existing state in-lieu debt for the Yolo Wildlife Area.
2. Fully mitigate costs of increased public services (such as law enforcement, fire, rescue, roads) lost business revenues and income, and socio-economic impacts of changes in governance, habitat conversions and alternative conveyance facilities.

### Tier One

1. Provide new municipal water for the City of Davis, City of Woodland, and UC Davis, including expediting permits and providing habitat mitigation necessary for implementation.
2. Protect economically viable agriculture in Yolo County.
  - a. Develop appropriate agricultural industrial uses and infrastructure within the Clarksburg Agricultural District, and assist the Clarksburg region to provide agricultural tourism-related activities and "Delta gateway" facilities.
  - b. Provide farmers with safe harbor agreements, fish screens, and buffers related to habitat areas or conveyance facilities.
3. Ensure that habitat restoration is consistent and integrated with and the Yolo County Natural Heritage Program, and as part of that integration:
  - a. Expedite permitting and provide habitat mitigation for any County or Reclamation District improvements within the Clarksburg region and Yolo Bypass, including but not limited to the construction and maintenance of roads, bridges, levees, and irrigation facilities.
  - b. The Bay Delta Conservation Plan (BDCP) must provide permitting and regulatory assurances for actions that the County, the Cities of West Sacramento, Winters, Woodland and Davis, special districts, other public agencies, and local nonprofits in the County undertake that have the potential to result in the regulatory take of any of the BDCP target species.
4. Provide a solution to flood issues on Cache Creek and flood protection for our small communities.
5. Protect area of origin water rights and water quality in the Delta and ensure water supplies for Yolo agriculture.
6. The Delta Conservancy must have substantial local representation on its governing body, a dedicated funding source, and the capacity to assist local government in addressing changes in the Delta, including but not limited to economic development, recreation, tourism, conservation of agriculture and open space.

## Tier Two

- Remediate mercury in the Cache Creek watershed at its sources:
  - Design and develop habitat restoration projects so as not to increase existing levels of mercury bio-methylization within the Yolo Bypass and Delta; and
  - Remediate mercury accumulation within the Cache Creek Settling Basin.
- Improve flood protection along the Sacramento River and for the Yolo Bypass.
- Protect riparian water rights downstream of any conveyance intake.
- Implement high priority projects in Yolo County's Integrated Regional Water Management Plan.
- Replace and expand any displaced farm labor camps.
- Protect infrastructure:
  - Protect the existing and future operations of the Port of Sacramento as an industrial and transport hub for the region, including its levees;
  - Expedite permitting and reserve land for spoils necessary to deepen the ship channel 35 feet so that it can accommodate larger freighters;
  - Protect the continued operation of State Route 84 as a major truck route for the transportation of agricultural products out of the Clarksburg region;
  - Ensure that the future expansion of Interstate 80 across the Yolo Bypass and improvements to the Union Pacific Railroad are not precluded or impaired; and
  - Ensure that any changes to the operation of the Sacramento Weir do not adversely affect Old River Road (County Road 22).
- Ensure that changes to the operation of the Fremont Weir, Yolo Bypass toe drain, or other proposals do not adversely affect planned development of the future Elkhorn Specific Plan.
- Fund construction and operation of the Pacific Flyway Center next to the Yolo Bypass.
- Establish Yolo County gateways to the Delta region for ecotourism and recreation focusing on legacy communities including Clarksburg.
- Include legacy communities in the Secondary Zone of the Delta.
- Obtain funding for conservation easements in Yolo County.

## Parameters for Delta-related habitat projects

- Willing sellers only
- Payment in-lieu of property tax for lands changing from private to public ownership<sup>1</sup>
- Payment for lost business opportunity and income, including socio- economic issues
- Project impacts originating in Yolo county must be discharged in Yolo county
- Permanent protection/preservation of like or better quality agricultural lands for agricultural lands converted, compliance with local policies regarding conservation easements
- Buffers sufficient to avoid the need for additional restrictions on farm practices on surrounding lands
- Continued payment of special district assessment(s) and fees
- Mitigation of costs for increased public services (e.g. law enforcement, fire, rescue, roads)
- No adverse changes to flood protection for surrounding areas
- Full ESA and CESA protection for neighboring lands/landowners
- Full ESA and CESA protection for affected water diversions
- Consistency with the Yolo Natural Heritage Program
- Protection of existing high value habitat, such as in the Yolo Wildlife Area
- Mitigation for loss of terrestrial habitat for special status species and other wildlife
- Funding and responsible entity for monitoring and adaptive management of habitat projects and associated lands
- Control program for vectors, invasive species and agricultural pests
- No out of county water transfers from converted lands
- No increase in mercury release or transport
- Mitigation for increased organic carbon at North Bay Aqueduct
- Maximize public recreational opportunities associated with habitat projects
- If possible, projects will be designed to accept dredged materials from the Sacramento Deep Water Ship Channel
- Permanently funded stakeholder working group for the Yolo/Solano portion of the Delta
- Opportunity for the County to obtain mitigation of future impacts associated with County public works projects (e.g., roads, bridges, levee work) as part of habitat projects

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<sup>1</sup> For all items in this list that require funding, such funding must be guaranteed to Yolo County in perpetuity and allocated outside the state's budget process.