
SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Josh Becker, Chair

2025 - 2026 Regular

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Consultant: Genevieve Wong

Subject: Sacramento-San Joaquin Delta Conservancy

SUMMARY

This bill would rename the Sacramento-San Joaquin Delta Conservancy Act to the Valley, Lake, and Delta Conservancy Act, expand the Sacramento-San Joaquin Delta Conservancy's geographical jurisdiction, and establish the Valley and Lake Program under the administration of the Conservancy to support efforts that advance the environmental protection and the economic well-being of Valley and Lake residents.

BACKGROUND AND EXISTING LAW

Sacramento-San Joaquin Delta (Delta).

The Delta encompasses a 1,300 square mile area where the Sacramento and San Joaquin rivers converge just southwest of Sacramento to form a 700,000-acre estuary – the largest estuary on the west coast of the Americas. The Delta includes specified lands that are prescribed in statute (Water Code (WAT) §12220), but generally includes portions of Sacramento, Solano, San Joaquin, and Yolo Counties.

The Sacramento-San Joaquin Delta supplies clean drinking water to 25 million Californians and is home to 750 distinct species of plants and animals, including waterfowl and sandhill cranes, Chinook salmon, Central Valley steelhead, and green sturgeon. Additionally, it contains more than 500,000 acres of agricultural land and is home to more than 600,000 people who live in the dozens of communities throughout the Delta. In 2019, Congress designated the Sacramento-San Joaquin Delta National Heritage Area as California's first National Heritage Area. The designation is granted to places where natural, cultural, historic, and recreational resources combine to form a distinctive landscape and tell a nationally important story about the country and its experience.

Pollution, invasive species, and destruction of most of the area's wetland and river habitat have put one of the world's largest water delivery systems at risk. Water-supply operations have even reversed the direction of rivers flowing out of the Delta, causing several native species to be on the verge of extinction.

The Sacramento-San Joaquin Delta Conservancy was created to support efforts that advance both environmental protection and the economic well-being of Delta residents in a complementary manner.

Sacramento-San Joaquin Delta Conservancy (Conservancy).

The Conservancy was created by the Legislature in 2009 as the primary state agency in the implementation of ecosystem restoration in the Delta, and to collaborate and cooperate with local communities and other parties to preserve, protect, and restore the natural resources, economy, and agriculture of the Sacramento-San Joaquin Delta and Suisun Marsh.

According to its website, the Conservancy supports efforts that advance both environmental protection and economic well-being of Delta residents in a complementary manner, including to:

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

Conservancy Strategic Plan.

The Conservancy's 2022-2027 Strategic Plan outlines the goals, objectives, and strategies during that five-year period. The strategic plan acts as roadmap for enhancing the Delta's ecosystem and economy and builds off past successes to carry the Conservancy's mission forward.

The Conservancy has set 5 strategic goals:

- Goal 1: Enhance ecological conservation, restoration, and climate adaptation in the Sacramento-San Joaquin Delta and Suisun Marsh.
- Goal 2: Support economically and ecologically sustainable working lands in the Sacramento-San Joaquin Delta and Suisun Marsh.
- Goal 3: Support and enhance communities and economies in the Sacramento-San Joaquin Delta and Suisun Marsh.
- Goal 4: Enrich understanding of the ecological, cultural, and historical value of the Sacramento-San Joaquin Delta and Suisun Marsh, the importance of resilience, diversity, and inclusivity; and the need for stewardship.
- Goal 5: Maintain an effective, sustainable adaptable, and inclusive organization.

Existing law, the Sacramento-San Joaquin Delta Conservancy Act (Act):

- 1) Establishes in the Natural Resources Agency the Conservancy, a state agency to work in collaboration and cooperation with local governments and interested parties and to act as the primary state agency to implement ecosystem restoration in the Delta (Public Resources Code (PRC) §§32320, 32322).
 - a) Limits the jurisdiction and activities of the Conservancy to the Delta and Suisun Marsh (PRC §32360), except that the Conservancy may take or fund an action outside of the Delta and Suisun Marsh if it makes certain findings. The Delta is the Sacramento-San Joaquin Delta, as described in statute (WAT §12220).
- 2) Prescribes the governing board of the Conservancy, with 11 voting members and 2 nonvoting members, as specified, and provides for 10 liaison advisers to serve in an advisory, nonvoting capacity (PRC §32330).
- 3) Requires the governing board to establish and maintain a headquarters office within the Delta and to hold its regular meetings within the Delta or the City of Rio Vista (PRC §§ 32340, 32350).
- 4) Creates the Sacramento San Joaquin Delta Conservancy Fund and makes moneys in the fund available, upon appropriation, for purposes of the Act. Authorizes funds to be allocated to a separate program within the Conservancy for economic sustainability in the Delta.
- 5) Authorizes the Conservancy to engage in partnerships with nonprofit organizations, local public agencies, and landowners (PRC §32362).
- 6) Requires the Conservancy to cooperate and consult with the city or county in which a grant is proposed to be expended or an interest in real property is proposed to be acquired and to coordinate its efforts with other state agencies (PRC §32363).

- 7) Requires the Conservancy to cooperate and consult with a public water system, levee, flood control, or drainage agency that owns or operates facilities where a grant is proposed to be expended or an interest in land is proposed to be acquired (PRC §32363).
- 8) Authorizes the Conservancy to require a grantee to enter into an agreement with the Conservancy, to require a cost-share or local funding requirement, to fund or award grants for plans and feasibility studies consistent with its strategic plan or Delta Plan, and to provide grants and loans to state agencies, local public agencies, and nonprofit organizations, amongst other authorities (PRC §§32364, 32364.5).
- 9) Requires the governing board to prepare and adopt a strategic plan to achieve the goals of the Conservancy.

PROPOSED LAW

This bill would expand the jurisdiction of the Conservancy to include lands within the Counties of Yolo, Sacramento, Solano, and San Joaquin that are outside of the Delta, Lake County, and Suisun Marsh; and establish the Valley and Lake Program to support efforts that advance the environmental protection and the economic well-being of Valley residents. Specifically, the bill would:

- 1) Rename the act the Valley, Lake, and Delta Conservancy Act and rename the Conservancy the Valley, Lake, and Delta Conservancy.
 - a) Expand the jurisdiction and activities of the Conservancy to include the Valley, Lake County, and Suisun Marsh. Defines the “Valley” as lands within the Counties of Yolo, Sacramento, Solano, and San Joaquin that are outside of the Delta. (Under existing law, the “Delta” only includes specified portions of those counties.)
- 2) Increase the number of voting board members from 11 to 13 members, adding one member of the board who is appointed by the Lake County Board of Supervisors and a resident of that county and one tribal representative appointed by the Governor, subject to Senate confirmation. Require the tribal representative to serve for a term of four years, with a two-term limit.
- 3) Increase the number of liaison advisers from 10 to 12, adding a designee of the Sierra Nevada Conservancy and a designee of the California Central Valley Flood Control Association who is a member of the governing body of a reclamation district located in the primary zone of the Delta.
- 4) Instead of requiring the headquarters office to be within the Delta, authorize the governing board to open satellite offices, within the areas under the Valley and Delta Conservancy’s jurisdiction or the counties that those areas are within, or in the City of Sacramento, in the number and locations applicable to the Valley and Delta Conservancy’s work under the direction of the governing board to the extent that funding is available.

- 5) Require the governing board to hold its regular meetings within the areas under the Valley and Delta Conservancy's jurisdiction and to rotate the location of the meetings among the different counties within those areas.
- 6) Specify that funds from the Delta Conservancy Fund provided for ecosystem restoration and enhancement that are available for ecosystem restoration projects consistent with the Conservancy's strategic plan includes projects to reduce and reverse land subsidence and associated carbon emissions.
- 7) Prohibit funds in the Delta Conservancy Fund from being used within the Lake or Valley.
- 8) Establish the Valley and Lake Conservancy Fund, and make moneys available, upon appropriation, for purposes of the Valley, Lake, and Delta Conservancy Act.
 - a) Require funds provided for ecosystem restoration and enhancement to be available for ecosystem restoration projects located in the Valley or Lake area consistent with the Conservancy's strategic plan.
 - b) Authorize funds to be allocated to a separate program within the conservancy for economic sustainability in the Valley and Lake.
 - c) Authorize funds to be allocated for activities in the Valley or Lake if there is an appropriation from the Valley and Lake Conservancy Fund from the Legislature for that purpose.
 - d) Prohibit the Conservancy from using resources designated for work in the Delta or Suisun Marsh for activities within the Valley or Lake.
- 9) Revises and recasts the findings the governing board must make for the Conservancy to take or fund an action outside the Valley, Lake, Delta, or Suisun Marsh to include:
 - a) The project implements the goals of the Valley, Lake, and Delta Conservancy, the Delta Plan, and other relevant plans within the areas under the Valley, Lake and Delta Conservancy's jurisdiction.
 - b) The project is consistent with the requirements of any applicable state and federal permits (existing law).
 - c) The Valley, Lake, and Delta Conservancy has given notice to and reviewed any comments received from affected local jurisdictions, local agencies, and state agencies.
 - d) The Valley, Lake, and Delta Conservancy has given notice to and reviewed any comments received from any state conservancy where the project is located (existing law).
 - e) The project will provide significant benefits to the lands within the areas under the Valley, Lake, and Delta Conservancy's jurisdiction.

- 10) Authorize the Valley, Lake and Delta Conservancy to engage in partnerships with tribal organizations.
- 11) Establish the Valley and Lake Program, under the administration of the Valley, Lake, and Delta Conservancy, to support efforts that advance the environmental protection and the economic well-being of Valley and Lake residents. The bill would require the program to support Valley, Lake, and Delta Conservancy activities in the Valley and Lake, as specified.
- 12) Expand the entities the Valley, Lake, and Delta Conservancy is required to cooperate and consult with to include a resource conservation district where a grant is proposed to be expended or an interest in land is proposed to be acquired.
- 13) Authorize the Valley, Lake, and Delta Conservancy to pay grantees at their fully federally allocated cost allocation rate or other certified cost allocation rate.
- 14) Authorize the Valley, Lake, and Delta Conservancy to make advance payments of up to 25 percent of the grant award in accordance with policy set by the governing board to ensure that moneys are used properly and in accordance with grant agreements.
- 15) Authorize the Valley, Lake, and Delta Conservancy to fund or award grants for plans and feasibility studies consistent with relevant plans within the areas under the Valley, Lake, and Delta Conservancy's jurisdiction, in addition to plans and feasibility studies that are consistent with its strategic plan or Delta Plan.
- 16) Authorize the Valley, Lake, and Delta Conservancy to provide grants and loans to tribal organizations, in addition to state agencies, local public agencies, and nonprofit organizations.
- 17) Require the governing board to update as necessary the strategic plan, expand the scope of the strategic plan to include the Valley and Lake, and require the strategic plan to additionally be consistent with other relevant plans within the areas under the Valley and Delta Conservancy's jurisdiction.
- 18) Define "relevant plans" as including, but not limited to:
 - a) Delta Protection Commission's Land Use and Resource Management Plan.
 - b) Delta Protection Commission's Economic Sustainability Plan for the Sacramento-San Joaquin Delta.
 - c) Delta Stewardship Council's Delta Adapts: Creating a Climate Resilient Future Sacramento-San Joaquin Delta Climate Change Adaptation Plan.
 - d) Delta Stewardship Council's Delta Levees Investment Strategy.
 - e) Natural Working Lands Climate Smart Strategy.
 - f) California's Nature-Based Solutions Climate Targets.

- g) Any community action plans for legacy communities or relevant local plans.
- h) Updates and plan transitions for the plans listed in a) through g), above.

19) Make other technical and conforming changes.

20) Revise and add to existing findings and declarations.

ARGUMENTS IN SUPPORT

According to the author, “The Sacramento-San Joaquin Delta is a uniquely biodiverse region that provides habitat for over 750 species, supplies drinking water for 27 million Californians, and contains over 6 million acres of prime agricultural land. Since its creation in 2010, the Delta Conservancy has awarded over \$130 million in state and federal funding for critical projects that provide tangible benefits to all Californians. The Delta Conservancy has helped fund the wetland rehabilitation, carbon capture, and the expansion of habitat-friendly agriculture, and it plays a key role in protecting the Delta ecosystem and its vibrant economy. This bill expands the Delta Conservancy’s jurisdiction to help facilitate projects that benefit the Delta. By incorporating the entirety of Sacramento, San Joaquin, Solano, and Yolo counties into the covered territory, this bill will create a more comprehensive, watershed-focused approach to conservation.”

ARGUMENTS IN OPPOSITION

None received

COMMENTS

Expanding jurisdiction of Conservancy. This bill would expand the geographical jurisdiction of the Conservancy to also include the remaining portions of land within the Counties of Yolo, Sacramento, Solano, and San Joaquin (the “Valley”) that are not already part of the Conservancy, Lake County, and Suisun Marsh. Expanding the geographical jurisdiction of the, renamed, Valley, Lake, and Delta Conservancy will also help increase access to nature for thousands of Californians.

However, that expansion will also likely increase the costs of the Valley, Lake, and Delta Conservancy to fulfill its mission. While this bill does not specifically call for an increase of funding, that increase in funding is inevitable if the Legislature expects for the expanded conservancy to be able to fulfill its mission. Presently, the Conservancy typically relies on state bond funding to support its work. As noted in the Assembly Natural Resources Committee’s policy analysis of this bill, in 2025 the Conservancy continued to apply for grants, conduct outreach to other state agencies that may contract with the Conservancy, and build efficiencies into the system, and this practice will need to continue to help cover the expanded jurisdiction.

Will expanding the jurisdiction shift focus away from the legal Delta? A concern has been raised that expanding the jurisdiction might shift focus away from the Delta, the primary and original focus of the Conservancy. According to the author, by increasing the Conservancy’s geographic jurisdiction, the Conservancy will be advocating for a larger region, which will help bring more funds to the Valley and Delta Conservancy in the future. Recently, the author amended the bill to help further address this concern. Those amendments (1) specify that funds in the Delta

Conservancy Fund cannot be used in the Lake or Valley, (2) instead create a separate Valley and Lake Conservancy Fund, (3) prohibit the Conservancy from using resources designed for work in the Delta or Suisun Marsh for activities within the Valley or Lake, and (4) declare that it is the intent of the Legislature that the intent of the expansion is not to distract or diminish the conservancy's work in the Delta in any way and rather, the intent of the expansion is to provide additional resources to achieve the conservancy's mission within the Delta.

To help further ensure that focus is not shifted away from the legal Delta, the Committee may wish to amend the bill to instead state that the Conservancy's expansion is not intended to supplant the Conservancy's work in the Delta in any way. *See Amendment #1.*

SUGGESTED AMENDMENT

AMENDMENT 1

Amend Public Resources Code §32301(b) as follows:

(b) It is the intent of the Legislature that the expansion of the Sacramento-San Joaquin Delta Conservancy to the Valley, Lake, and Delta Conservancy not distract or ~~diminish~~ **supplant** the conservancy's work in the Delta in any way. Rather, the intent of the expansion is to provide additional resources to achieve the conservancy's mission within the Delta.

SUPPORT

Audubon California
 California Central Valley Flood Control Association
 California Waterfowl
 County of Lake
 County of Yolo
 Defenders of Wildlife
 Environmental Defense Fund, Incorporated
 Grassland Water District
 PAT Hume, Sacramento County Supervisor, District 5
 Restore the Delta
 River Partners
 Sacramento Valley Conservancy
 Suisun Resource Conservation District
 The Nature Conservancy
 The Trust for Public Land
 Yolo Basin Foundation
 Yolo County Resource Conservation District

OPPOSITION

None received

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