

## PART 3 – GOALS AND POLICIES

### 3.4 NATURAL AND CULTURAL RESOURCES ELEMENT

# The Delta

The Delta is a “Place” of statewide significance and maintains a historical role in the County. Delta channels convey water, which supports a thriving agriculture industry, diverse wildlife populations, world-class recreational opportunities, navigable boating routes, and the transportation of commercial goods. Delta levees protect critical infrastructure of statewide importance, including rail lines, petroleum product pipelines, electricity transmission lines, water pipelines, and highways. Delta levees protect tens of thousands of acres of prime agricultural land, and are a vital component of fish and wildlife habitat. The Delta is also relied upon to provide water to much of California. These water exports place a significant burden on the health of the Delta.

The reliability of the Delta as a water supply source is increasingly threatened by declining ecosystem conditions due to intense pressure to increase water exports and the erosion of water quality standards meant to protect fish and wildlife and Delta. In addition, development within the Secondary Zone of the Delta has increased over the past several decades which has transformed land uses in the Secondary Zone of the Delta.

The Delta Protection Commission’s Land Use and Resource Management Plan for the Primary Zone of the Delta (2010) offers guidance and policy direction for land uses within the Primary Zone of the Delta. The Delta Protection Commission’s Land Use and Resource Management Plan sets out findings and policies on topics, including: environment; utilities and infrastructure; land use; agriculture; water; recreation and access; levees; marine patrol; and boater education and safety. The County’s General Plan is required to be consistent with the Delta Protection Commission’s Land Use and Resource Management Plan for the portion of San Joaquin County within the Primary Zone of the Delta. This section includes policies consistent with the Land Use and Resource Management Plan for all unincorporated land within the Primary Zone of the Delta. It also includes policies related to the Secondary Zone that ensure future development does not encroach or negatively impact agriculture ecosystems within the Delta.

### Relationship to Other General Plan Elements

Delta resources are considered in the designation of land uses and the provision of public facilities and services in the Community Development Element. Many environmental hazards and safety issues, such as water quality and flooding hazards, are closely related to policies in the Delta section of the Natural and Cultural Resources Section. Hazardous materials can directly and indirectly affect such environmental resources as air, water, and wildlife within the Delta. Many of the policies in this section that are specific to the Delta are supplemented by policies other Elements in an effort to provide comprehensive solutions to multifaceted planning issues.

## The Delta as a Place

The Delta plays a major role in the economy, natural environment, and human environment of San Joaquin County as well as the entire State of California. In addition to being part of a unique and important estuary ecosystem, the Delta provides a wide variety of goods and services that are supplied by the land, water, and people in the Delta. About one-quarter of California's drinking water comes from the Delta, two-thirds of Californians get some or all of their drinking water from the Delta, and about 3.0 million acres of agricultural lands are irrigated using water from the Delta.

Transmission lines and transportation corridors are also an important part of the Delta.

The focus of this goal section is to ensure that the Delta continues to be preserved and recognized as a place of statewide significance.

### GOAL D-1

**To maintain the Delta's historic role in the county and ensure its continued role as a place of statewide significance.**

#### D-1.1 Importance of the Delta

The County shall strive to ensure that the Delta continues to be recognized as an area of international importance and as a major agricultural, recreational, wildlife, and economic resource of San Joaquin County. (PSP)

#### D-1.2 Delta Support

The County shall preserve the cultural heritage, strong agricultural/economic base, unique recreational resources, and biological diversity of the Delta, and shall support the development of public/private facilities, such as museums, recreational trails, community parks, farm stands, community centers, and water access facilities within the Delta. (PSP)

## Delta Governance

Land and water use in the Delta are managed by a complex network of federal and State laws and regulations related to water rights, water quality, endangered species management, and land development. In addition, local government regulates, controls, and is responsible for the Delta.

The focus of this goal section is to support regional and local governance of the Delta and its resources.

### GOAL D-6

**To protect and support continued local governance over Delta land use and resources.**

#### D-2.1 Local Control and Responsibility

The County shall advocate for and protect local government regulations, land use controls, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection within the Delta as provided by Federal and State law. The County shall actively oppose any effort to limit or remove local government control from the Delta. (RDR/PSP)

#### D-2.2 Regional Self-Sufficiency

The County shall advocate for implementation of conservation, recycling, reuse, and regional self-sufficiency as part of a Statewide improved flood management and water supply system. (RDR/PSP)

**D-2.3 Non-Conventional Land Use Decisions**

The County shall support and protect local government control over non-conventional land use decisions in the Delta, including, but not limited to: leases entered into by public agencies, dredging activities by special districts to facilitate interstate or international commerce on navigable waterways of the United States, and resolutions of necessity adopted as a precursor to filing an eminent domain action. (RDR/PSP)

**D-2.4 Water Rights**

The County shall protect existing water rights within the Delta, including the “area of origin” laws and anti-degradation policy of the State Water Resources Control Board for areas in the Delta, such that there is no deprivation of the water needed for present and future reasonable beneficial use in the areas where the water originates. (RDR/PSP)

**D-2.5 Delta Stewardship Council**

The County shall support Delta Stewardship Council actions that are consistent with and limited to those provided by State law or granted by appellate authority, and shall actively oppose any plans, actions, or perceived review authority by the Delta Stewardship Council that are not specifically granted by enabling legislation or appellate authority. (PSP/IGC)

## Delta Economy and Recreation

The San Joaquin County portion of the Delta contains a large number and wide variety of recreational and economic opportunities for County residents. People live and work in the Delta. The Delta is a source of drinking and irrigation water. Infrastructure, including transportation, gas and electrical transmission

facilities, and water conveyance facilities cross the Delta. Delta levees provide critical flood protection not only to homes and businesses, but to farms, habitats, and infrastructure facilities. The Delta is an important site for recreation (e.g., fishing, boating, waterskiing) and tourism activities. Because of the many uses within the Delta, it is very important to the local and State economies.

The focus of this goal section is to enhance the growth of three industries in the Delta: agriculture, recreation, and tourism.

### GOAL D-3

**To support the continued economic growth of agriculture, recreation, and tourism within the Delta.**

**D-3.1 Support Delta Tourism**

The County shall support programs, such as designation of the Delta as a National Heritage Area, to encourage and enhance resource-based recreation, agritourism, and historical and cultural tourism in the Delta. (PSP)

**D-3.2 Delta Agriculture**

The County shall support efforts to maintain and enhance the value of Delta agriculture and value-added processing of Delta crops. (PSP)

**D-3.3 Private Sector Investment**

The County shall support private sector investment in the Delta that provides modern recreation and tourism facilities within the Delta and connects to the Delta’s natural, cultural, and agricultural resources. (PSP)

**D-3.4 Location-Based Recreation**

The County shall support efforts to enhance recreation in the Delta, including enhancing Delta waterways, developing dispersed points of natural and cultural interest and focal points, and expanding access to natural resource areas. (PSP)

### **D-3.5 Waterway Facilities and Access**

The County shall encourage expansion of existing privately-owned, water-oriented recreation and access facilities, and ensure appropriate planning, development, and funding for expansion, ongoing maintenance, and supervision of existing public recreation and access areas. (RDR/PSP)

### **D-3.6 Delta Trails**

The County shall encourage the development of a regional system of trails within the Delta provided that trails are located and developed to mitigate and minimize potential environmental, agricultural, infrastructure, and law enforcement conflicts, and does not adversely affect private property. (RDR/PSP)

### **D-3.7 Delta Branding**

The County shall support and participate in efforts to consistently brand and market the Delta as a major recreation and tourism attraction. (PSP/IGC/JP)

## **Development in the Delta**

Activities and facilities in the Delta contribute greatly to the economies of the local communities, cities, San Joaquin County, the Stockton/Sacramento/Bay Area region, and the State of California. As a source of water, the Delta facilitates agricultural production in many parts of the state.

The focus of this goal section is to protect the long-term viability of agricultural operations, natural ecosystems, and the Delta heritage.

## **GOAL D4**

**To regulate development within the Delta to ensure the long-term viability of agricultural operations, success of natural ecosystems, and continuation of Delta heritage.**

### **D-4.1 Preserve Delta Heritage**

The County shall protect the unique character and qualities of the Delta Primary Zone by preserving the Delta's cultural heritage and the strong agricultural base. (RDR/PSP)

### **D-4.2 Emphasize Agricultural Uses**

The County shall promote and facilitate agriculture and agriculturally-supporting commercial and industrial uses as the primary land uses in the Primary Zone; recreation and natural resource land uses shall be supported in appropriate locations and where conflicts with agricultural land uses or other beneficial uses can be minimized. (RDR/PSP)

### **D-4.3 General Plan Amendments in the Primary Zone**

The County shall ensure that General Plan amendments affecting areas within the Primary Zone are carried out consistent with criteria set forth in Public Resources Code Section 29763.5, which requires the Delta Protection Commission to make findings as to the potential impact of the amendment on the Primary Delta and agricultural practices within the Primary Delta. (RDR/PSP)

### **D-4.4 General Plan Consistency**

The County shall require that any private water conveyance plan for the Delta be consistent with the goals and policies in this General Plan and supported by clearly demonstrated improvement of the entire State's water management. (RDR/PSP)

**D-4.5 Delta Boundaries and the General Plan**

The County shall seek to ensure that future changes to the boundaries of the Delta, including the boundaries of the Primary and Secondary Zones, are consistent with the goals and policies of this General Plan. (RDR/PSP)

**D-4.6 Secondary Zone of the Delta**

The County shall support and protect any plan, program, project, or activity within the Secondary Zone of the Delta, which is consistent with an adopted general plan, sphere of influence, specific or master plan, development agreement, subdivision map, and/or other land use entitlement or permit that has received environmental certification under the California Environmental Quality Act, and/or which otherwise has "vested rights" in effect. (RDR/PSP)

**D-4.7 Delta Development Limitations**

The County shall regulate new development within flood hazard areas in the Delta consistent with the statutory requirements contained in the Delta Plan. Increased flood protection shall not provide a basis for new residential designations or increased densities beyond those allowed under zoning and general plan designations. (RDR)

**D-4.8 Limit Non-Agricultural Uses on Delta Islands**

The County shall generally limit development in the Delta islands to water-dependent uses, recreation, and agricultural uses. (RDR/PSP)

**D-4.9 Conversion of Delta Farmland to Wetlands**

The County shall not allow the conversion of prime farmland within the Delta into wetlands, with the exception of the Lower San Joaquin River Floodplain, as defined in the Delta Plan. (RDR/PSP)

**D-4.10 Infrastructure Serving Delta Uses**

The County shall prohibit new wastewater treatment facilities in the Delta Primary Zone (including storage ponds) that support development or business outside of the Delta Primary Zone. (RDR/PSP)

**Delta Resources**

The San Joaquin County portion of the Delta contains a large number and wide variety of scenic and recreational opportunities for County residents. In addition, the Delta provides habitat for numerous species listed as threatened or endangered under CESA or ESA, including: Chinook salmon (winter and spring runs), Central Valley Steelhead, Delta smelt, Southern distinct population segment of the green sturgeon, Valley elderberry longhorn beetle, and Delta green ground beetle.

The focus of this goal section is to support and protect the Delta ecosystem.

**GOAL D-5****To preserve and protect open space and resource conservation areas within the Delta.****D-5.1 Protect Delta Ecosystem**

The County shall support the protection and restoration of the Delta ecosystem in perpetuity, including adequate water supply and quality. (PSP)

**D-5.2 Delta Protection**

The County shall ensure that waterway development and development on Delta islands protects the natural beauty, fisheries, wildlife, riparian vegetation, and the navigability of the waterway. (RDR)

### **D-5.3 Agricultural Habitat Areas**

The County shall encourage management of agricultural lands within the Delta which maximize seasonal and year-round wildlife habitat, through techniques such as fall and winter flooding, leaving crop residue, creation of mosaic of small grains and flooded areas, wildlife friendly farming, controlling predators, controlling poaching, controlling public access, and others. (PSP)

### **D-5.4 Discourage Dredge Spoils**

The County shall strongly discourage use of the Delta channel islands for levee materials or deposition of dredge spoils. The County shall support the use of dredge spoils for strengthening levees and levee maintenance. (PSP)

### **D-5.5 Reduce Boater Recreation Impacts**

The County shall support public educational programs to ensure that boater-recreational use in the Delta does not disturb wildlife or vegetation or weaken levees. (IGC/PI)

## **Delta Water Supply and Quality**

Due to the operation of water export projects (i.e., Central Valley Project and State Water Project) the water quality within the Delta has significantly deteriorated. Water quality and supplies within the Delta necessary to support agricultural uses and fishery resources is often inadequate and causes negative economic impacts to the County.

The focus of this goal section is to work with State and local efforts to protect and improve the Delta water resources, specifically for agricultural uses and ecosystems management.

## **GOAL D-6**

**To protect Delta water supplies for agricultural uses and ecosystems enhancement and improve overall Delta water quality.**

### **D-6.1 Delta Water Quality Improvement Projects**

The County shall support projects that protect and improve the quality and quantity of water in the Delta region for local agricultural, municipal, and industrial uses and maintain appropriate outflow for a healthy estuary. (PSP)

### **D-6.2 Protect Delta Water Rights**

The County shall defend the existing water right priority system and legislative protections established for the Delta. (PSP)

### **D-6.3 Delta Water Quality Coalition**

The County shall support efforts of the San Joaquin County and Delta Water Quality Coalition to help farmers and ranchers reduce impacts to Delta water through best management practices, workshops, grower meetings, pesticide application information workshops and monitoring of water quality. (PSP/IGC)

### **D-6.4 Delta Pool Concept**

The County shall support the "Delta common pool concept," in which the common resources provide quality freshwater supply to all Delta users, requiring mutual responsibility to maintain, restore, and protect the common resource. (PSP)

### **D-6.5 Water Storage Options**

The County shall advocate for the study of above- and below-ground storage options as part of a statewide improved flood management and water supply system. (IGC/PSR)

## Delta Safety

Delta levees protect critical infrastructure of statewide importance, including rail lines, petroleum product pipelines, electricity transmission lines, water pipelines, and highways. Delta levees also protect tens of thousands of acres of prime agricultural land, and are a vital component of fish and wildlife habitat. Historically, there have been levee failures in the Delta; however, due to intensified rehabilitation and maintenance efforts, there have only been 22 failures in the Delta since 1990. Levee failures not only jeopardize the County's economy, but the lives and property of the people that live and work in the Delta. The focus of this goal section is to maintain the levees and other infrastructure in order to keep residents, visitors, and agricultural resources safe.

### GOAL D-7

**To maintain Delta levees and infrastructure to provide safety and security to residents, visitors, and agricultural resources.**

#### D-7.1 Infrastructure Protection

The County shall continue to protect key infrastructure systems within the Delta that are of statewide importance, including highways, railroads, aqueducts, and electricity and natural gas lines and storage. (RDR/PSR)

#### D-7.2 Improve Delta Levees

The County shall support projects that rehabilitate, improve, and maintain the physical integrity and long-term viability of Delta levees to more fully address the risks due to earthquakes, extreme floods, extreme weather, high tides, and sea-level rise, allow for improved flood protection and emergency response, and allow for growth of vegetation on the water side of levees to improve habitat. The County encourages and supports improvement of all Delta levees to meet or exceed PL-84-99 standards. (RDR/PSP)

#### D-7.3 New Development Near Levees

The County shall require new development within the Delta to be set back from levees and areas that may be needed for future levee expansion consistent with local reclamation district regulations and the California Department of Water Resources Central Valley Flood Control Plan. The County shall support efforts to address levee encroachments that are detrimental to levee maintenance. (RDR)

#### D-7.4 Emergency Levee Repairs

The County shall support local, State, and Federal programs for emergency levee repairs in the Delta, including, but not limited to: interagency agreements and coordination; designation of emergency funds; emergency flood-flight supply stockpiling; emergency contracting procedures; emergency permitting procedures; and other necessary elements. (PSP)

#### D-7.5 Levee Funding

The County shall support funding mechanisms that provide for the longer-term improvement and maintenance of Delta levees, improve levees up to a 200-year flood protection level, and coordinate Delta emergency preparedness, response, and recovery. (PSP)



**D-7.6 Public Nuisance**

The County shall support efforts to address and eliminate local public nuisance and safety issues, such as trespassing, littering, and theft. (RDR/IGC)

**D-7.7 Communication and Coordination**

The County shall work with State and local agencies to manage and implement boating and waterway-related programs, including but not limited to, marine patrols, removal of debris and abandoned vessels, invasive species control and containment, clean and safe boating education and enforcement, maintenance of existing anchorage, mooring and berthing areas, and emergency response in the Delta. (PSP/IGC)

**D-7.8 Sunken Debris Removal**

The County shall support and encourage programs for Delta waterways that provide opportunities for safe boating and recreation, including removal of floating and sunken debris and abandoned vessels from Delta waterways in collaboration with appropriate agencies. (IGC)

**3.4**

SAN JOAQUIN COUNTY **GENERAL PLAN**  
**NATURAL AND CULTURAL RESOURCES ELEMENT**

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