

Date of Hearing: March 24, 2026

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 2216 (Aguiar-Curry) – As Introduced February 19, 2026

SUBJECT: Sacramento-San Joaquin Delta Conservancy

SUMMARY: Renames the Sacramento-San Joaquin Delta Conservancy (Delta Conservancy) to the Valley and Delta Conservancy and extends the jurisdiction of the Valley and Delta Conservancy to all areas of Yolo, Sacramento, Solano, and San Joaquin Counties outside the Sacramento-San Joaquin Delta (Delta) and Suisun Marsh. Specifically, **this bill:**

- 1) Renames the Delta Conservancy to the Valley and Delta Conservancy.
- 2) Defines “Valley” as the lands within the Counties of Yolo, Sacramento, Solano, and San Joaquin that are outside the Delta.
- 3) Increases the number of nonvoting liaison advisors to the board of the Valley and Delta Conservancy from ten to twelve by adding designees of the San Joaquin River Conservancy and the Sierra Nevada Conservancy.
- 4) Authorizes the Valley and Delta Conservancy to open satellite offices within the areas under the Valley and Delta Conservancy’s jurisdiction or in the City of Sacramento. Requires that meetings of the board of the Valley and Delta Conservancy rotate among the counties under the Valley and Delta Conservancy’s jurisdiction.
- 5) Limits the jurisdiction and activities of the Valley and Delta Conservancy to the Valley, Delta, and Suisun Marsh, except for projects that meet specified conditions, including implementing the ecosystem goals of the Delta Plan or other relevant plans within the areas under the Valley and Delta Conservancy’s jurisdiction and providing significant benefits to the lands within the areas under the Valley and Delta Conservancy’s jurisdiction.
- 6) Establishes the Valley Program under the administration of the Valley and Delta Conservancy to support efforts that advance the environmental protection and the economic well-being of Valley residents.
- 7) Requires that funds only be allocated for activities in the Valley if there is an appropriation by the Legislature for that purpose and that funding already appropriated to the Valley and Delta Conservancy for activities in the Delta or the Suisun Marsh be used in compliance with the conditions of those appropriations and only for activities in those areas.
- 8) Authorizes the Valley and Delta Conservancy to engage in partnerships with tribal organizations.
- 9) Authorizes the Valley and Delta Conservancy to provide grants and loans to tribal organizations.
- 10) Requires the Valley and Delta Conservancy to cooperate and consult as necessary or appropriate with a resource conservation district that owns or operates facilities, including

lands appurtenant to those facilities, where a grant is proposed to be expended or an interest in land is proposed to be acquired.

- 11) Authorizes the Valley and Delta Conservancy to pay grantees at their full federally allocated cost allocation rate or other certified cost allocation rate, when there is no conflict with any applicable laws.
- 12) Authorizes the Valley and Delta Conservancy to make advance payments on grants.
- 13) Authorizes the Valley and Delta Conservancy to fund or award grants for plans and feasibility studies consistent with its strategic plan, the Delta Plan, or other relevant plans within the areas under the Valley and Delta Conservancy's jurisdiction.
- 14) Requires the Valley and Delta Conservancy to prepare, adopt, and update as necessary a strategic plan for the Delta and Valley.
- 15) Makes various findings and declarations regarding the ecological and cultural values of the Valley, Delta, and Suisun Marsh.
- 16) Further finds and declares that the Valley and Delta Conservancy can advance environmental protection and economic wellbeing of Valley and Delta residents in a complementary manner and in partnership with local, state, and federal agencies.
- 17) Removes the finding that the Valley and Delta Conservancy can facilitate take protection and safe harbor agreements under the federal Endangered Species Act and the California Endangered Species Act for adjacent landowners and local public agencies.

EXISTING LAW:

- 1) Defines the Delta (Water Code § 12220).
- 2) Defines the Suisun Marsh [Public Resources Code (PRC) § 29101].
- 3) Establishes the Delta Conservancy as a state agency to work in collaboration and cooperation with local governments and interested parties to implement ecosystem restoration in the Delta and to advance environmental protection and the economic well-being of Delta residents (PRC § 32320 *et seq.*).
- 4) Establishes a governing board for the Delta Conservancy, including voting members, nonvoting members, and nonvoting liaison advisors (PRC § 32330).
- 5) Requires that the board of the Delta Conservancy establish and maintain a headquarters office within the Delta (PRC § 32340).
- 6) Requires that the board of the Delta Conservancy hold its regular meetings within the Delta or the City of Rio Vista (PRC § 32350).
- 7) Limits the jurisdiction and activities of the Delta Conservancy to the Delta and Suisun Marsh, except for projects that meet specified conditions, including implementing the ecosystem goals of the Delta Plan and providing significant benefits to the Delta (PRC §§ 32360–32360.5).

- 8) Authorizes the Delta Conservancy to engage in partnerships with nonprofit organizations, local public agencies, and landowners (PRC § 32362).
- 9) Authorizes the Delta Conservancy to provide grants and loans to state agencies, local public agencies, and nonprofit organizations (PRC § 32364.5).
- 10) Requires the Delta Conservancy to cooperate and consult as necessary or appropriate with a public water system, levee, flood control, or drainage agency that owns or operates facilities, including lands appurtenant thereto, where a grant is proposed to be expended or an interest in land is proposed to be acquired (PRC § 32363).
- 11) Authorizes the Delta Conservancy to require a grantee to enter into an agreement with the Delta Conservancy on terms and conditions specified by the Delta Conservancy (PRC § 32364).
- 12) Requires the Delta Conservancy to prepare and adopt a strategic plan to achieve the goals of the Delta Conservancy (PRC § 32376).
- 13) Makes various findings and declarations about the significance of the Delta and the impact of the Delta Conservancy (PRC § 32301).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** 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.”
- 2) **Background.** The Delta Conservancy is a state agency charged with advancing environmental protection and the economic well-being of Delta residents. Working in cooperation with partners across the Delta and Suisun Marsh, the Delta Conservancy supports projects across five goals set in the Delta Conservancy’s 2022–2027 strategic plan: (1) enhance ecological conservation, restoration, and climate adaptation in the Delta and Suisun Marsh; (2) support economically and ecologically sustainable working lands in the Delta and Suisun Marsh; (3) support and enhance communities and economies in the Delta and Suisun Marsh; (4) enrich understanding of the ecological, cultural, and historical value of the Delta and Suisun Marsh, the importance of resilience, diversity, and inclusivity, and the need for stewardship; and (5) maintain an effective, sustainable, adaptable, and inclusive organization. In pursuit of these goals, the Delta Conservancy has provided more than \$130 million in state and federal funding to over 140 projects since 2010.

The Legal Delta. The “legal Delta,” defined in Water Code § 12220, covers approximately 500,000 acres of natural lands, working lands, and waterways in the Counties of Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo. The Delta Conservancy’s jurisdiction is currently limited to the legal Delta and the Suisun Marsh, approximately 85,000 acres of tidal marsh, managed wetlands, and waterways in Solano County.

Delta as place. In addition to protecting the Delta’s critical role in ensuring reliable water supply for California, the Delta Protection Act establishes the “coequal goal” of protecting, restoring, and enhancing the Delta ecosystem, to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. The Delta is a complex and ecologically important region, home to nearly 750,000 people, with 350,000 acres of land in active production, three state park system units, and, especially at the edges of the Delta, increasingly dense residential and commercial developments. The Delta is also home to hundreds of species of native plants and animals and forms a key component of the Pacific Flyway migratory bird corridor.

The Valley and Delta. The legal boundary of the Delta is not cleanly demarcated on the ground, and communities beyond the boundaries of the Delta face many of the same challenges as Delta residents, without the support of a state conservancy. Wildfire hazards, habitat loss, and impacts to environmental justice communities affect the areas surrounding the Delta, which are linked both culturally and geophysically to the Delta. When state and federal funding is routed through conservancies, the artificial boundary line could be the difference between a community having access to resources or not. Additionally, partnerships with the peripheral urban areas could increase outdoor access within the Valley and Delta and contribute to economic sustainability in the region.

Watershed-scale planning. The lands in the Valley surrounding the Delta comprise part of the Delta’s watershed. Since 2021, the state has increasingly focused on watershed-scale planning and project implementation for state conservancies, with watershed-defined extensions of the Baldwin Hills, Sierra Nevada, and San Gabriel and Lower Los Angeles Rivers and Mountains Conservancies.

- 3) **Policy Considerations.** In four locations, this bill references “other relevant plans within the areas under the conservancy’s jurisdiction,” without defining that phrase. There are a variety of potentially qualifying plans, including the Delta Protection Commission’s Land Use and Management Plan and Economic Sustainability Plan, along with other state and local plans, goals, and targets. This uncertainty is in contrast with the existing language, which specifically requires the Delta Conservancy to consider the Delta Plan and the Delta Conservancy’s strategic plan. *The author may wish to consider whether the Legislature should explicitly specify the relevant plans the Valley and Delta Conservancy must consider or otherwise define the term “other relevant plans.”*
- 4) **Arguments in support.** The Nature Conservancy writes: “the Delta Conservancy has a proven track record of working with local communities to identify shared objectives and develop locally supported projects that provide a statewide benefit. [This bill] will expand the area that receives those benefits, support larger watershed scale projects and new sources of funding.” Writing about the need for expansion to additional areas, the Nature Conservancy continues: “expansion to the whole of existing counties the Delta Conservancy already serves has local support and would cover important areas of the state that are not currently

covered by a conservancy. Some of these areas have significant wildfire risk and have not had access to the recent funding packages for conservancy wildfire resilience projects.”

- 5) **Double Referral.** This bill has also been referred to the Assembly Natural Resources Committee.
- 6) **Related legislation.** SB 872 (McNerney) of the current legislative session appropriates \$150 million annually to the Delta Conservancy from the Greenhouse Gas Reduction Fund for projects to improve existing levees in the Delta. SB 872 is pending in the Senate Natural Resources and Water Committee after passing the Senate Environmental Quality Committee (5-0) on March 18, 2026.

SB 1122 (Allen), Chapter 718, Statutes of 2022, extends the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to include the Dominguez Channel watershed and Santa Catalina Island.

SB 1052 (Kamlager), Chapter 714, Statutes of 2022, renames the Baldwin Hills Conservancy to the Baldwin Hills and Urban Watersheds Conservancy, extends the conservancy to include the Southern Ballona Creek Watershed and the Upper Dominguez Channel, and requires the conservancy to develop and adopt a watershed and open-space plan.

SB 208 (Dahle), Chapter 182, Statutes of 2021, extends the Sierra Nevada Conservancy to include sections of the Pit, Trinity, Upper Sacramento, and McCloud watersheds.

SB 1-7x (Simitian), Chapter 5, Statutes of 2009–2010 Seventh Extraordinary Session, creates the Delta Conservancy.

SB 2086 (Johnston) of 2000 would have required the Secretary of the Natural Resources Agency to complete a feasibility study for a Central Valley Conservancy. SB 2086 was vetoed by Governor Gray Davis.

REGISTERED SUPPORT / OPPOSITION:

Support

The Nature Conservancy (sponsor)
Audubon California
California Waterfowl Association
Grassland Water District
The Trust for Public Land

Opposition

None on file

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