

DRAFT (12/10/19)

Delta ISB Discussion: Public Draft of the Delta Plan Ecosystem Amendment

December 10, 2019

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Background

An amendment to Chapter 4 of the Delta Plan (Protect, Restore, and Enhance the Delta Ecosystem) is currently under consideration by the Delta Stewardship Council (Council), to address a fundamental shift in how conservation is being planned and implemented in the Sacramento-San Joaquin Delta and Suisun Marsh (the Delta). The Council has been working to develop an approach to amend Chapter 4 of the Delta Plan since 2016. Pursuant to Water Code section 85308(a), the Delta Plan must be “based on the best available scientific information and the independent science advice provided by the Delta Independent Science Board.”

The Council has released the preliminary draft of the Delta Plan Ecosystem Amendment for a 60-day public comment period from November 22, 2019 to January 21, 2020. The draft of the Delta Plan Ecosystem Amendment, along with associated appendixes, can be found on the [Delta Plan Amendment website](http://deltacouncil.ca.gov/delta-plan/amendments): <http://deltacouncil.ca.gov/delta-plan/amendments>.

The preliminary draft Chapter 4 documents available in the public review are: 1) the revised narrative, which includes (at the end) new and revised policies and recommendations; 2) three regulatory appendixes, each of which accompanies an applicable new or revised policy; 3) new and revised performance measures (Appendix E); and 4) six output/outcome performance measure datasheets (five new and one revised).

On December 13, 2019, the Delta ISB will discuss the public draft of the Delta Plan Ecosystem Amendment at its public meeting to ensure it is based on the best available scientific information and that past comments from the Delta ISB have been adequately addressed. Prior to the release of the public draft, the Delta ISB reviewed and provided comments to the Council in 2018 on the synthesis papers used to inform the scientific basis of the revised chapter narrative, and an earlier draft of the performance measures (PMs). For past comments on the PMs, please refer to the [comment letter \(dated September 27, 2019\)](http://deltacouncil.ca.gov/pdf/isb/products/2019-09-27-isb-delta-plan-pm-comments.pdf): <http://deltacouncil.ca.gov/pdf/isb/products/2019-09-27-isb-delta-plan-pm-comments.pdf>

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To help inform the discussion on December 13, 2019, individual Delta ISB members provided comments before the public meeting. These comments are preliminary, have not been vetted by the Delta ISB, as a whole, and should not be cited. Many Delta ISB members who provided written comments had focused their review on the PMs, and were still in the process of reviewing other scientific aspects of the Delta Plan Ecosystem Amendment.

Feedback #1

I have no further comments on the draft Delta Plan Ecosystem Amendment as revised. The authors have reasonably accommodated my concerns about the specificity of some of the PM targets. While I would have preferred more probabilistic PMs, I understand the reluctance to do so at this point. I thank the authors for their revisions.

Feedback #2

The report is well written and interesting but still contains lofty and likely unreachable goals given the early statement in the report that the Delta ecosystem continues to decline. I then looked whether the most important aspects of our prior recommendations (about assumptions, uncertainties, bracketing ranges, using annual reporting and 5-year reviews) were addressed. On first reading, it seemed like the Council hardly addressed them. However, the Council's edits to the performance measures to our earlier comments did improve the document but really didn't go as far as we had hoped.

Feedback #3

Council staff have responded very well overall to the comments from the Delta ISB concerning the draft Delta Plan Ecosystem Amendment PMs. They seriously considered our comments, made substantive and credible changes in many places to address the issues we raised, and generally explained in other places why Delta ISB concerns are not being addressed, at least at this time. However, I do think the Council's response at a past meeting, regarding our concern about some PMs being virtually impossible to achieve, falls short of what is needed. Setting a goal that is impossible to achieve is not inspirational in my view—it instead sets up a public expectation of failure being inevitable.

Feedback #4

The revised Delta Plan Ecosystem Amendment PMs have incorporated feedback from the Delta ISB and the improvements address some of the concerns that were raised in our prior review. In particular, I appreciate the addition of background information that provides the basis for selection of some of the PMs and the description of potential uncertainties. However, I still find some of the PMs to be overly ambitious and have concerns about the feasibility of achieving some of the outcomes that are proposed. I understand the premise for setting ambitious goals, but the goals should also be realistic and feasible because the Delta Plan will not be well-served if its goals cannot be achieved.

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Although the revised PMs incorporate some short-term targets that offer the opportunity to change course and/or re-evaluate goals, I think there is still room to give more consideration to adaptive management and alternative actions in cases where the targets may require adjustment. There are missed opportunities for better incorporating adaptive management into the PMs (e.g., designing projects in an experimental context and using early projects as a tool for assessing design features that lead to greater success).