



980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
HTTP://DELTACOUNCIL.CA.GOV
(916) 445-5511

DELTA STEWARDSHIP COUNCIL

A California State Agency

November 13, 2015

Chair
Randy Fiorini

Caitlin Sweeney, Senior Environmental Planner
San Francisco Estuary Partnership
1515 Clay Street, Suite 1400
Oakland, CA 94612
caitlin.sweeney@waterboards.ca.gov

Members
Aja Brown
Frank C. Damrell, Jr.
Phil Isenberg
Patrick Johnston
Mary Piepho
Susan Tatayon

Executive Officer
Jessica R. Pearson

RE: Draft 2016 Comprehensive Conservation and Management Plan

Dear Ms. Sweeney:

Thank you for the opportunity to comment on the San Francisco Estuary Partnership's Draft 2016 Comprehensive Conservation and Management Plan (CCMP). As you know, the Delta Stewardship Council (Council) is a state agency created by the California Legislature through the Delta Reform Act of 2009 to develop and implement a legally enforceable long-term management plan for the Delta. The Delta Plan applies a common sense approach based on the best available science to achieve the coequal goals of protecting and enhancing the Delta ecosystem and providing for a more reliable water supply for California, while protecting and enhancing the unique cultural, recreational, and agricultural values of the Delta as an evolving place.

Council staff has appreciated the opportunity to serve on the Steering Committee for the CCMP update. We are pleased to see that the current draft incorporates our suggestions regarding ways to incorporate the relevant elements of the Delta Plan into the CCMP. We believe our participation in this process helps to fulfill our mandate to ensure the consistency of the Delta Plan with the federal Clean Water Act, as required by Water Code section 85300(d)(1)(C).

The CCMP's goals and objectives are generally consistent with the Delta Plan, particularly the Delta Plan chapters dealing with ecosystem restoration and water quality. The CCMP does not explicitly address the need for statewide water supply reliability, although it does include a water efficiency objective: "Increase drought-resistance and water efficiency and reduce demand on imported water." This is consistent with the Delta Reform Act (Water Code section 85021), which states, "The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency." Comments on specific actions are provided below.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall 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."

– CA Water Code §85054

Action 1: Develop and implement watershed approaches to comprehensive aquatic resource protection

Task 2 calls for conducting a pilot project in one to three watersheds to develop habitat profiles, map alternative future profiles, and identify regulatory mechanisms that encourage and allow environmental health improvements, while Task 3 calls for developing a Northeast Delta Landscape Framework to generate a vision for integrated flood protection, restoration and water recharge, and inform the design of habitat restoration projects. The Delta Conservancy expects to complete pilot projects in both the Northeast Delta and Cache Slough. We have consulted with Conservancy staff, and they have suggested merging these two tasks, raising the number of watersheds to four, and calling out these two Delta locations.

Action 2: Protect, restore and enhance tidal marsh and tidal flat habitat

Task 2 calls for protecting land to support preservation and enhancement of tidal habitats. We suggest adding a statement that protected land may also include potential sites that may be acquired and developed as regional shorelines by the East Bay Regional Park District, as discussed in their Master Plan 2013.

The Task 2 milestone of acquisition or protection of 500 acres of tidal habitat by 2021 seems very low. Is this task meant to include land that may be acquired for mitigation, e.g., for the construction of the WaterFix tunnels? The WaterFix website (<http://www.californiawaterfix.com/solution/details>) estimates that mitigation for WaterFix construction and operation will include about 2,300 acres of habitat restoration. This acreage is in addition to the 8,000 acres required by the biological opinions, which are mentioned in the Task 1 milestone.

Action 6: Protect, restore, and enhance riparian habitat

Given the recent effort to merge the San Francisco Bay and Central Valley Joint Venture project tracking tools with EcoAtlas, we suggest revising Task 1 as follows: "Upload relevant riparian assessment findings, constructed riparian project information, and potential future riparian project information to the ~~SF Bay Joint Venture's Project Tracking Tool~~ linked to project layer of EcoAtlas (done by individual project proponents)."

Action 8: Establish a regional wetland and stream monitoring and assessment program

We support this action to plan and implement a Bay-Delta Watershed Monitoring and Assessment Program, which is consistent with Action 4.2.2 in the Delta Science Plan:

4.2.2 Build a comprehensive Delta monitoring strategy for an integrated program

Use the strategy to work toward an integrated Delta monitoring program with a shared purpose to systematically inform adaptive management of multiple stressors on the ecosystem and report on Delta environmental changes to policymakers and the public.

Primary Responsibility: Delta Science Program

Action Participants: Delta Regional Monitoring Steering Committee, IEP, CWQMC, BDCP; federal, State, and local agencies; NGOs

Expected Outcomes

- Development of a collaborative and comprehensive monitoring strategy based on clear conceptual models
- Regular monitoring information feedback for adaptive management
- Improved availability of data for assessing outcomes of water quality protection, water and land management, and habitat restoration actions
- Improved availability of data for use in regulatory oversight

The Delta Science Program and partner agencies (e.g., the Interagency Ecological Program, EcoRestore and others) intend to conduct a comprehensive assessment of monitoring efforts in the Delta to inform development of a more comprehensive Delta monitoring strategy. The timing of Task 1, the formation of a Bay-Delta regional steering committee by 2016, may be premature prior to the completion of this assessment. Delta Science Program staff would be happy to discuss revisions to the tasks and milestones with the agencies proposing the action.

Action 12: Increase carbon sequestration through wetland restoration, creation, and management

Please add a Task 3 that matches the Delta Plan by referencing carbon markets. E.g., “Support the development of the carbon market for wetlands by developing reference sites and standard management practices that reduce the monitoring and reporting costs for participants.”

In the Background section, please note that a draft California wetland protocol for carbon credits was submitted to the American Carbon Registry for review earlier this year. Please make the following edits, shown in underline and strikethrough, to the Background section. The rationale for each edit is provided in brackets following the item.

1. “USGS and DWR have partnered on ~~a pilot~~ projects ~~on~~ totaling approximately 2000 acres that shows that it is highly feasible to use managed wetlands to sequester carbon and reduce subsidence....”

[I believe only the first 15-acre project is considered a “pilot project”, while others might be considered “demonstration projects.”]

2. “Through the California Natural Resources Agency, California EcoRestore is an initiative to help coordinate and advance critical habitat restoration in the Sacramento-San Joaquin Delta over the next four years. California EcoRestore’s initial goal includes creation of 3,500 acres of managed wetlands, specifically for subsidence reversal and carbon management, on Sherman Island and Twitchell Island ~~and Staten Island.~~”

[Staten Island is targeted for sandhill crane habitat enhancement, not carbon sequestration.]

3. “Challenges to that goal include ~~land acquisition and~~ resources for creation and management. The action includes a slightly reduced ~~outcome~~ milestone of 3,000 acres converted over five years, both on public and private lands (based also on goals in the Delta Stewardship Plan).”

[DWR already owns the land in question.]

Action 13: Restore Estuary-watershed connections for multiple benefits, including flood risk management and habitat

Thank you for including Task 5, which Council staff originally suggested. Over the past few months, the effort to coordinate flood protection and habitat enhancement in the Yolo Bypass has evolved. Please revise as follows:

“Task 5: Improve coordination between Yolo Bypass flood risk management efforts and the implementation of the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (2009 NMFS Biological Opinion), ensuring maximized public benefits and efficiencies. Wherever beneficial, integrate flood risk management and floodplain restoration objectives and projects, including the incorporation of specific Yolo Bypass habitat restoration objectives into the 2017 Central Valley Flood Protection Plan.

Milestones:

- By 2017, establish a common vision for Yolo Bypass multi-benefit improvements that are supported by affected local, state, and federal agencies.
- Incorporate measurable habitat restoration objectives into the 2017 Central Valley Flood Protection Plan.
- Initiate and/or begin construction of multiple Biological Opinion fish passage improvement projects within the Yolo Bypass by 2017.”

Action 17: Integrate natural resource protection into local government hazard mitigation, response, and recovery planning

We suggest revising this action so that it can include reference to the Delta Levee Investment Strategy that the Council is currently developing, which includes natural resources as an asset category. This may be done by changing the title as follows: “Integrate natural resource protection into state and local government hazard mitigation, response, and recovery planning.” Secondly, “Completion of the Delta Levee Investment Strategy by 2016” may be added as a second milestone under Task 1.

Action 19: Develop long-term drought plans

This action to revise urban water management plans to include a water shortage contingency is consistent with the Delta Plan, but the Delta Plan contains a recommendation that goes further:

WR R4. Expanded Water Supply Reliability Element

Water suppliers that receive water from the Delta watershed should include an expanded water supply reliability element, starting in 2015, as part of the update of an urban water management plan, agricultural water management plan, integrated water management plan, or other plan that provides equivalent information about the supplier's planned investments in water conservation and water supply development. The expanded water supply reliability element should detail how water suppliers are reducing reliance on the Delta and improving regional self-reliance consistent with Water Code section 85201 through investments in local and regional programs and projects, and should document the expected outcome for a measurable reduction in reliance on the Delta and improvement in regional self-reliance. At a minimum, these plans should include a plan for possible interruption of water supplies for up to 36 months due to catastrophic events impacting the Delta, evaluation of the regional water balance, a climate change vulnerability assessment, and an evaluation of the extent to which the supplier's rate structure promotes and sustains efficient water use.

You may want to expand Action 19 to include this recommendation by revising the title to something that encompasses both drought and a possible interruption in water supplies from the Delta, e.g., "Develop water shortage contingency plans."

The action description contains three elements, but the third element, "document efforts to implement programs and investments that will help the Estuary respond to future extended droughts...", does not have an associated task or milestone. We recommend adding them.

Final Remarks

Overall, we are supportive of the CCMP and appreciate the work SFEP has done to incorporate relevant elements of the Delta Plan and provide a balanced view of the conservation and management needs for the Bay and the Delta. We look forward to continuing to work with you on this plan. If you have questions, please contact Jessica Davenport at Jessica.Davenport@deltacouncil.ca.gov.

Sincerely,



Cindy Messer
Deputy Executive Officer
Delta Stewardship Council