

Information Item

Delta Plan Five-Year Review Initial Assessment and Next Steps

Summary: This report provides an update on the legally-mandated five-year review of the Delta Plan. The chief deputy executive officer and other senior staff will present an overview of the completed initial assessment along with the process and timeline for the next seven months.

Background

The Delta Plan, adopted in 2013, was developed over the course of three years, with extensive public and interagency input and debate over the narrative content, recommendations, regulations, and performance measures. Since 2013, the Council has amended the Delta Plan three times: 1) to update performance measures (2016); 2) to remove a sunset-clause for exempting Single-Year Water transfers (2016); and 3) to include the Delta Levees Investment Strategy, refined Performance Measures, and recommendations for Conveyance, Storage Systems, and the Operation of Both (2018). The Council will be considering an amendment to Chapter 4, *Preserve, Protect and Enhance the Delta Ecosystem* in 2018 and early 2019. Each of the amendments thus far has been topic-specific and has not yet involved a complete performance evaluation of the Plan.

The Delta Reform Act states that “The Council shall review the Delta Plan at least once every five years and may revise it as the Council deems appropriate...” (Water Code section 85300 (c)). As such, Council staff developed an approach to undertake the review of the Delta Plan in 2018.

The Five-Year Review Process

During the December 2017 Council meeting, staff outlined an approach to reviewing the Delta Plan: an initial assessment, an evaluation of plan implementation efforts, and the development of a report on recommendations and highlights. As initially outlined in December, the purpose of the review is to develop a road map for the next several years regarding how updates to the Delta Plan might be prioritized and implemented. The review process itself, expected to conclude by the end of 2018, does not include actual edits or updates to the Plan, but rather identifies changes to be made along with a proposed timeline. The purpose of the review is two-fold: to reflect on the past five years of the Plan’s implementation, and to provide perspective roadmap for planning future changes.

More specifically, the 2018 review process includes the following steps:

- 1) *Initial Assessment (summarized here and detailed at the May 24 Council meeting):*
Staff have already conducted an initial assessment of Delta Plan content and

evaluated the scope and need for basic clean-up and updates based on the following criteria:

- External changes (e.g. relevant new or amended legislation including AB 1755, Sustainable Groundwater Management Act (SGMA); significant policy initiatives: pivot from the Bay Delta Conservation Plan, implementation of Proposition 1 funding; etc.);
- Internal Delta Plan changes (performance measures updates; improvements to the covered action process; etc.);
- Advances in best available science (climate change projections, etc.); and
- Consistency across chapters.

Staff also asked the Delta Protection Commission, Delta Conservancy, and the State Water Resources Control Board to review specific chapters of the Plan and provide advice on needed changes.

In addition, staff worked with the Delta Plan Interagency Implementation Committee (DPIIC) members and their staff to conduct a review of the administrative performance measures. The results of this survey were discussed and included in the meeting materials for the April DPIIC meeting. (Attachment 1).

- 2) *External Evaluation of Plan Implementation Efforts:* Staff and consultants will conduct an assessment of plan performance and implementation through a public and stakeholder engagement process, and through a review of our covered actions process. Public outreach consisting of stakeholder assessment interviews, a public workshop, and/or focus groups or surveys will be used to gauge how external stakeholders view and utilize the Delta Plan and allow us to focus the implementation of any recommendations to strengthen the efficacy and relevancy of the Delta Plan. In addition, staff and consultants will conduct a high-level assessment of plan performance and implementation by reviewing the Delta Plan covered actions process.
- 3) *Development of Five-Year Review Recommendations and Highlights Report:* Staff and consultants will develop a detailed recommendations report that will summarize the results from the initial assessment and external evaluation. This report will describe the major accomplishments over the initial five-year period and identify major anticipated policy and management challenges in the next five to 10 years. It will also provide recommendations to the Council for strengthening the Delta Plan and the Council's role in implementing the Plan and furthering the coequal goals, and propose a timeline for future updates to the Plan.

Staff will also develop a highlights report that will describe the major accomplishments over the initial five-year period of Delta Plan implementation, and identify major policy and management challenges anticipated over the next five to 10 years. This document will be similar in format to the Council's annual report.

Results of Initial Assessment

Staff has completed its initial assessment of the Delta Plan and found that, since 2013, a number of new initiatives and reports have been undertaken by State and federal agencies and that some initiatives, also referenced in the Delta Plan, are no longer being pursued or have been replaced by new initiatives with similar goals. New policy initiatives and legislation and new technical and scientific reports to incorporate include the Sustainable Groundwater Management Act (2014); Proposition 1 (2014); *Enhancing the Vision for Managing California's Environmental Information* (2014); the *Challenges Facing the Sacramento-San Joaquin Delta* (2015); and the Science Enterprise Workshop Executive Summary (2018). Recognition of activities stemming from the California Water Action Plan should also be considered.

In addition, when reviewing the document as a whole, staff found that, with the addition of several new amendments to the Plan, all chapters of the Plan (including non-amended) need to be updated in order to create a consistent narrative in all Delta Plan chapters, and ensure that newly adopted information is incorporated into other sections of the Plan (e.g., table of contents, chapter cross-references). Staff also noted non-substantive errors and omissions that could be updated throughout the document.

After completing a chapter-by-chapter review of the Plan, staff recommends several chapter-specific considerations to be further assessed in the recommendations report. These considerations are reflective of progress that the Council has made since adoption of the Plan in 2013 in implementing the actions in the Plan. For example, we have made significant strides in developing and utilizing the DPIIC, and narrative in Chapter 2 can be updated to reflect substantive accomplishments of the Committee. Additional chapter-specific considerations for future revisions include:

- Prepare an updated Executive Summary that reflects the evolving role of the Council, amendments to the Plan, evolution of best available science, and progress made to date on implementation.
- Consider updating the adaptive management discussion, including recent examples of the concept in practice, and considering moving adaptive management to a separate dedicated chapter.
- Consider updating various Delta as Place initiatives to reflect current status and future focus, incorporating environmental justice considerations. Consider weaving these issues throughout the Plan rather than focusing them in Chapter 5.
- Consider developing additional levee standards beyond the Bulletin 192-82 for various state interests.
- Consider how to make Chapter 8 (Funding Principles to Support the Coequal Goals) useful in attracting more funding to science and restoration.
- Consider developing specific theme/topic driven funding plans and a dedicated subsection on science funding that respond to the Delta's science enterprise and restoration needs.

Next Steps

Pending the Council's approval of the staff-recommended contract amendment, Stantec will: 1) facilitate public outreach on the process, including an external assessment of the Delta Plan with key stakeholders in the greater Delta science, policy, and local communities and assist with a review of the covered actions process; and 2) work with Council staff to develop the recommendations report and the highlights report, in lieu of producing the Council's standard annual report.

Schedule

Staff is on track to complete this project in late December 2018:

- May 2018 – Initial assessment complete (described in this staff report)
- Summer and fall 2018 – External stakeholder assessment and covered actions process review
- December 2018 – Final recommendations report and five-year highlights report

Fiscal Information

At this meeting, Council staff is also recommending a contract amendment to augment Stantec's existing contract to support the five-year Delta Plan review.

List of Attachments

Attachment 1 Review of Administrative Performance Measures

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