

September 13, 2013

130209:BL:EC

Dr. Peter Goodwin
Delta Science Program
980 K Street
Sacramento, CA 95814
Sent via e-mail to science@deltacouncil.ca.gov

SUBJECT: CITY OF SACRAMENTO COMMENTS ON SECOND DRAFT DELTA SCIENCE PLAN

Dear Dr. Goodwin,

The City of Sacramento (Sacramento) appreciates the opportunity to provide comments on the Second Draft Delta Science Plan. Sacramento supports the co-equal goals of restoring the ecological health of the Delta and creating a reliable water supply for California. We support many of the changes and new content in this most recent draft and especially support the emphasis on open science and frameworks for monitoring and modeling. We support development of Delta science in a “bottom-up” fashion that is inclusive, transparent, and pragmatic. The Delta Science Plan and the Delta Science Program must provide the leadership and accountability to bring the needed change.

We acknowledge that it is necessary to have “top-down” oversight and synthesis of Delta science, but also request that the Delta Science Plan better emphasize the mechanics of how “bottom-up” participation will be supported, especially for local agencies where the land and water resources may be directly impacted by proposed Bay Delta Conservation Plan projects.

While the Second Draft Delta Science Plan addressed many of our comments, there are three general areas where we have recommendations for improvements:

- Role of local agencies and affected residents
- Governance and process
- Timeline

More specific requested changes are included in Attachment A.

Role of local agencies and affected residents

The urban area and population within and in close proximity to the Delta is significant, and has generally not been given a significant role in the Second Draft Delta Science Plan. Local agencies representing the Delta population have extensive monitoring requirements and implementation programs that could be directly affected by the Delta Science Plan. The Second Draft Delta Science Plan does

include more specific references to participation from “federal, state, and local agencies” throughout the document, but there are several omissions. Most prominently, local agency directors and leaders are not included in the Policy-Science forum (Page 11, section 2.1). The policy representation is limited to directors of federal and state agencies and the Delta Plan Interagency Implementation Committee. The science roles are limited to Lead Scientist appointments for “agency research program directors”; however, this does not clearly specify the type of agencies. *We request that the Policy-Science Forum specifically allow participation that represents local perspectives on policy and science.*

Governance and Process

The Second Draft Delta Science Plan provides better organizational and decision making structure descriptions, but does not describe how that structure would endure through the years as a public science resource and authority. The Delta Science Plan should support productive bottom-up participation to promote better education and ensure a wider base of support of the Delta Science Program. Differences in scientific conclusions would best be resolved in an open forum that has productive collaboration from a wide range of Delta interest groups.

Much of the top-down authority will be in the hands of the Lead Scientist. Though we believe current staffing and leadership is committed to the principles of open science, there is no structure to ensure future leadership will be so committed. The Second Draft Delta Science Plan does not describe how the Independent Science Board and Lead Scientist are selected, evaluated, or coordinated. *We request clarification on how local agencies can participate on selection of future Lead Scientists and Independent Science Board members. We also request that more detail be provided on the how the governance and coordination of these two entities would work (e.g., threshold for peer review and process for revisions, etc.)*

The Public Policy Institute of California (PPIC) April 2013 report “Integrated Management of Delta Stressors” called for integrated science through creation of a Delta science joint powers authority (JPA), involving regulators, regulated parties, and the Delta Science Program. Under the PPIC proposal, the Delta Science Program would oversee Delta science for the JPA. Also noted in the PPIC report, the Delta Science Program serves as the coordinator of Delta science, but notes the Delta Science Program does not have the mandate, authority, or budget to take on integration of Delta Science. The Delta Science Program may be the correct group to bring all the stakeholders together, yet it should fully integrate stakeholders into a clear and transparent science-based program. If there are administrative and legal constraints to how the Delta Science Program could administer a JPA, alternate JPA structures should be considered.

We request that the Delta Science Program create a joint powers authority (JPA) that includes local agencies. This JPA would bring the resources of state, federal, and local agencies to more efficiently use monitoring and other technical resources, allow transparent and directed scientific investigations, and allow peer review by the Lead Scientist, the Independent Science Board, and the National Research Council, as needed.

Timeline

We recognize the need to advance the Delta Science Plan and not get unduly delayed in process discussions. However, the proposed schedule (October 2013) for the final draft of the Delta Science Plan does not allow adequate time for review and thoughtful discussion.

We recommend extending the timeline at least three months and include outreach to interested parties to discuss details of the Delta Science Plan and its implementation.

We are encouraged by the Delta Science Programs efforts to support the co-equal goals of habitat restoration and water supply reliability and to directly address weaknesses in the existing and proposed approaches to adaptively manage the Delta systems. Attached to this letter are comments on specific items in the Second Draft Delta Science Plan that support the general points in this letter.

Sacramento has participated in Delta science for more than twenty years and has invested millions of dollars in efforts to characterize and understand the influence of our urban area and control measure programs on the Delta and its tributary watershed. We are encouraged by progress within the Delta Regional Monitoring Program in developing governance, a technical advisory committee, and priority research areas. We look forward to cooperating with the Delta Science Committee and to strengthen our understanding of Delta water quality and quantity. If you have any questions on these comments please contact Elissa Callman at (916) 808-1424 or ecallman@cityofsacramento.org.

Yours truly,



Bill Busath
Engineering & Water Resources Manager

Cc: Dave Brent, Director
Joe Robinson, Senior Deputy City Attorney
Jim Peifer, Supervising Engineer
Sherill Huun, Supervising Engineer
Martha Lennihan, Lennihan Law

ATTACHMENT A. CITY OF SACRAMENTO SPECIFIC COMMENTS ON SECOND DRAFT DELTA SCIENCE PLAN

1. Page iii, untitled table of “Audiences and Participants in the Delta Science Plan”
Page iii Audiences and Participants tables places local agencies in the “interested public category” and does not include them specifically as Delta Managers or as “Science Programs though local agencies fulfill these roles and expect to be actively engaged in Delta science through our permit requirements and participation in the Delta RMP. Moreover the use of *id est* (i.e.) implies a limitation to the listed groups. This includes the BDCP as a “science program”, but does not include the Delta RMP. While the table might be a valuable introduction, the exclusiveness of the groupings is not supported through much of the document which supports open science. *We request that local agency representation be included in Delta Managers and local agency programs be acknowledged in Science Program. We also request that the table specifically reference the Delta RMP as a science program or better clarify the purpose of the limited listing.*
2. Page 4, inset box “Efforts to Build On”
The inset box omits a number of ongoing or completed programs that included stakeholder groups and technical research within the Delta and the Delta watershed. *We request additional consideration for groups such as the Central Valley Drinking Water Policy Group, CV-SALTS and the Delta Regional Monitoring Program as additional open and transparent science, policy, and planning efforts to build on.*
3. Page 5, Lines 18 through 22
The Second Draft Delta Science Plan discusses the physical area to which it applies, with “flexible” language regarding coverage to tributary watershed areas outside of the legal definition of the Delta. *While we understand that it is difficult to limit the geographic areas for future investigations, we request that the Delta Science Plan provide a process to incorporate tributary areas, when applicable, so that stakeholders have adequate notice to participate in studies and research within and around their jurisdictions or areas of interest.*
4. Page 11, line 5
We request that Action 2.1 include local government representation be in the Policy-Science Forum and that local agency science programs and the Delta RMP be included for consideration by the Lead Scientist.
5. Page 25, lines 12 through 24, Delta Plan and Bay Delta Conservation Plan
The Second Draft Delta Science Plan does not propose any specific collection of data related to projects that are part of the Delta Plan, such as the BDCP. There is a reference to “additional programs soon will be added”, which is not clear in explaining the scope of the activities. The BDCP is the largest of the projects within the Delta Plan areas, and monitoring and research requirements for adaptively managing this project should at a minimum describe the expected level of commitment to monitoring and assessments to support adaptive management. Currently the BDCP administrative draft commits only a small amount of funding, relative to the cost of

the project, for methylmercury research in restored wetlands. Certainly there are many more monitoring and research projects that are necessary to characterize the impacts of that major project.

Regulated dischargers are required to collect data to assess their potential impacts as well as demonstrate “antidegradation” with proposed changes in operations. If the BDCP and other projects under the Delta Plan are not the appropriate place for descriptions of the detailed future impact assessments, the Delta Science Plan should provide a commitment to perform the integrated assessments for these expected projects.

It is recommended that the Delta Science Plan include benchmarks and specific examples of how “adaptive management” and other proposed changes required by the Delta Plan and the BDCP will be assessed by the Delta Stewardship Council, within the Delta Science Plan, or by the implementing agencies. This should include adequacy of data collection by the BDCP.

6. Page 35, Section 4.7 Communication

A number of outreach and communication programs already exist within the Delta and its watershed such as the Sacramento River Watershed Program (SRWP) and numerous efforts from municipalities including the Sacramento Stormwater Quality Partnership. *We recommend adding in discussion of these programs as well as creating a goal of developing communication tools and platforms for groups to communicate water quality science to both the public and decision makers in a coherent manner. We also recommend that the Delta Science Plan provide for sharing of key decisions, work products, and all final data to support transparency and collaboration.*