

Interim Plan Activities

Requested Action: Discuss the Second Draft Interim Plan and provide direction for preparation of the Third and final Interim Plan.

Summary

The Delta Stewardship Council (Council) first discussed the Interim Plan at its April 2010 meeting, requesting a work schedule, a draft structure for an Interim Plan and ways to encourage public engagement. The Council set August 27, 2010 as the date for hearing and adoption of an Interim Plan, which allowed public comment on three (3) draft versions of the Interim Plan.

At its May meeting, the Council received a detailed staff report and responses to its earlier questions. A preliminary Outline of the Interim Plan was presented (Agenda 10, attachment 3), which included a list of potential Early Actions, projects and plans which might be considered, plus related programs and activities of federal, state and local governments that could affect the Delta).

At its June 2010 meeting, the Council (Council) discussed the First Draft Interim Plan and gave direction to proceed with a second draft, further developing the policy objectives defined in statute (Water Code §85020), and better defining the concepts of performance measures and best available science.

The Second Draft Interim Plan, included here as Attachment 1, has been revised substantially from the first draft to incorporate Council input, public comments and suggestions received through July 2, and to achieve a more useful document for both the Council and the public..

Background

1. **Second Draft Interim Plan**

This draft Interim Plan starts with the statutory coequal goals, and also structures itself through the eight statutory objectives identified as necessary to achieve the coequal goals.

Review of Interim Plan Uses

The Interim Plan is intended to:

- ✓ be the framework for Council activities until the Delta Plan is adopted,

- ✓ inform and assist the Council with its responsibilities in relation to other agencies, as required in the Act or elsewhere and
- ✓ provide linkage and transition to the Delta Plan by establishing legal authority, work processes and procedures, and ways to build effective relationships.

Adoption of the Interim Plan will satisfy the statutory mandate in Section 85084, although specific recommendations for early actions, projects, and programs” may occur later.

Key Differences between the First and Second Drafts

The Second Draft Interim Plan has been revised substantially to incorporate Council input, public comments and suggestions, and to achieve a more useful document.

Many comments (including those from Association of California Water Agencies, Contra Costa County, Reclamation District 999, Solano County, State and Federal Contractors Water Agency, and Yolo County) recommended that the document be more succinct --- a framework for development of the early actions and other proposals in accordance with statute. This draft accepted many of the suggestions, reducing the level of detail and simplifying the collection of appropriate information prior to adoption in August 2010. This draft makes clear that the Interim Plan may be amended by the Council at any time.

Key changes include:

- Section 1 (Introduction): A more clear statement of the purpose of the Interim Plan, and background information to frame the issues and provide context. The Background language includes material from “Status and Trends” and “Best Available Science” in the previous draft (formerly in Section 3).
- Section 2 (Uses of the Interim Plan): Maintained similar content, but streamlined to three key uses, and headers added for clarity.
- Former Section 3 (Policy Objectives): Eliminated by distributing some content to other sections and eliminating redundancies. The eight policy objectives, described now in Section 1 will still serve as the framework for recommend early actions, plans, and programs. Performance measures and best available science are tools by which the Council will organize and assess information, as described in the new Section 4.
- Section 3 (Interim Plan Processes): Relocated from former Section 5. This section of the Interim Plan outlines procedures and process the Council will use, many of which can carry forward to the Delta Plan process. This a work plan to manage and prioritize Council activities and actions.

- Section 4 (Analytical Tools for Council Action): Similar to former Section 4, this section describes critical information by identifying analytical tools the Council will use, adding “best available science” to the list and informed by the Independent Science Board. The Map and Table of Levee System Integrity was updated and modified to reflect currently available information from DWR and others. Additional existing finance information was also provided for development of a Finance Plan. Like others, these tools will continue to evolve over time.
- Appendix I includes additional administrative draft policies and procedures for Council appeals, consistency reviews, and other actions.
- Appendix IV was added to describe the Council's basic legal authorities under the Act; relocated material from “Basic Legal Authorities” in previous draft (formerly in Section 3).
- Former Appendices V and VI were removed from the Interim Plan; this information will be modified in accordance with the comments received and used in the development of the Delta Plan.

2. Workgroups

At the May 2010 meeting, staff was directed to establish workgroups on key issues to provide the Council with information and options related to the Interim Plan and Delta Plan. At the June 2010 meeting, four workgroups and preliminary charges were approved:

- ✓ Public Outreach: Provide methods that the Council can use to communicate with and inform the public.
- ✓ Risk Reduction and Coequal Goals: Address emergency response and flood issues identified in Water Code Sections 85020 (a) and (g). This work group may consider early action prioritization.
- ✓ Governance and Plan Implementation: Details pending.
- ✓ Reduced Reliance on the Delta: Details pending.

The first workgroup meeting on Risk Reduction was held on Thursday, July 8. Discussion was focused on the following questions

1. *What and where are the most significant short-term and medium-term levee risks in the Delta?*
2. *How should the state prioritize these risks?*

3. *What are the most effective ways to address the priority levees, given the state's restricted resources? (including but not limited to levee operation, maintenance, and improvements)*
4. *What types of flood-related emergency planning activities should be conducted in the Delta and how should they be prioritized?*
5. *What immediate actions should be taken for high-risk areas?*
6. *What agency coordination would best achieve effective emergency planning and implementation?*
7. *Are additional local/regional land use regulations needed to provide adequate levels of protection to people, structures, and ecosystems?*
8. *What local/regional land use incentives might enhance protection from floods?*

The meeting was public and approximately 40 individuals attended. A summary of the meeting is included as Attachment 2.

3. Delta Activities Timeline

The Delta Activities Timeline (Attachment 3) will be refined and expanded for the August meeting. Upcoming activities of note include:

- Department of Fish and Game and State Water Board working to develop flow criteria and quantifiable biological objectives for external review in July 2010. (Sec. 85086(c)).
- Delta Protection Commission is reviewing its study of potential expansion or changes to the Primary Zone (statutory submittal date was July 1, 2010 (Sec. 29773.5)) at its July 29, 2010 meeting. The process has been delayed to compile additional information and respond to agency and public comments.

List of Attachments

Attachment 1 - Second Draft Interim Plan

Attachment 2 - Summary of July 8, 2010 Meeting of Risk Reduction and Coequal Goals Workgroup

Attachment 3 - Delta Activities Timeline

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