

Preliminary Draft Charge to Delta ISB for Review of the Draft BDCP EIR/S

Overall Purpose Goals, Objectives and Scope

1. Are the overall purpose, goals and objectives clearly articulated?
2. Are the alternatives clearly defined?
3. From a scientific perspective, do the alternatives cover a reasonable range for achieving the goals and objectives?
4. Is best available science employed to meet the goals?
5. Are assumptions clearly articulated and reasonable considering the complexity?

Completeness, Structure and Effectiveness of Description

1. How complete is the scientific analysis; how clearly are the methods described?
2. Are the alternatives studied in adequate detail to differentiate outcomes among the alternatives?
3. Overall are the analyses reasonable and scientifically defensible? How clearly are the roll-up comparisons among alternatives conveyed in the text, figures and tables?

Approach, Analysis, Tools and Modeling

1. Does the scientific approach integrate an appropriate suite of analyses? Were tools/analyses appropriate and described adequately?
2. How well is uncertainty addressed and communicated?
3. Do the analyses describe sensitivity of conclusions to assumptions and uncertainty and how possible conflicting data and analyses are interpreted?
4. How well does the analysis link to adaptive management and associated monitoring programs?

Monitoring and Adaptive Management

1. How well is the overall adaptive management strategy described and are the goals of the adaptive management plan achievable?
2. Is the proposed monitoring adequate for evaluation of how well implementation is achieving goals and objectives, and are the data management, analysis, reporting and decision making processes also adequate to create a defensible and transparent implementation of adaptive management?

Statutory Questions

1. Comment on the scientific basis and clarity related to the EIR conclusions regarding:
 - (a) the range of flow criteria, rates of diversion, and other operational criteria required to satisfy the criteria for approval of a natural community conservation plan as provided in subdivision (a) of Section 2820 of the Fish and Game Code (attached) and other operational requirements and flows necessary for recovering the Delta ecosystem and restoring fisheries under a reasonable range of hydrologic conditions and identifying the remaining water available for export and other beneficial uses.
 - (b) the potential effects of climate change (including possible sea level rise up to 55 inches), and possible changes in total precipitation and runoff patterns on the conveyance alternatives and habitat restoration activities considered in the EIR.
 - (c) the potential effects on migratory fish and aquatic resources.
 - (d) the potential effects of each Delta conveyance alternative on Delta water quality.

Section 2820 Subdivision (a) of the Fish and Game Code

2820. (a) The department shall approve a natural community conservation plan for implementation after making the following findings, based upon substantial evidence in the record:

(1) The plan has been developed consistent with the process identified in the planning agreement entered into pursuant to Section 2810.

(2) The plan integrates adaptive management strategies that are periodically evaluated and modified based on the information from the monitoring program and other sources, which will assist in providing for the conservation of covered species and ecosystems within the plan area.

(3) The plan provides for the protection of habitat, natural communities, and species diversity on a landscape or ecosystem level through the creation and long-term management of habitat reserves or other measures that provide equivalent conservation of covered species appropriate for land, aquatic, and marine habitats within the plan area.

(4) The development of reserve systems and conservation measures in the plan area provides, as needed for the conservation of species, all of the following:

(A) Conserving, restoring, and managing representative natural and seminatural landscapes to maintain the ecological integrity of large habitat blocks, ecosystem function, and biological diversity.

(B) Establishing one or more reserves or other measures that provide equivalent conservation of covered species within the plan area and linkages between them and adjacent habitat areas outside of the plan area.

(C) Protecting and maintaining habitat areas that are large enough to support sustainable populations of covered species.

(D) Incorporating a range of environmental gradients (such as slope, elevation, aspect, and coastal or inland characteristics) and high habitat diversity to provide for shifting species distributions due to changed circumstances.

(E) Sustaining the effective movement and interchange of organisms between habitat areas in a manner that maintains the ecological integrity of the habitat areas within the plan area.

(5) The plan identifies activities, and any restrictions on those activities, allowed within reserve areas that are compatible with the conservation of species, habitats, natural communities, and their associated ecological functions.

(6) The plan contains specific conservation measures that meet the biological needs of covered species and that are based upon the best available scientific information regarding the status of covered species and the impacts of permitted activities on those species.

(7) The plan contains a monitoring program.

(8) The plan contains an adaptive management program.

(9) The plan includes the estimated timeframe and process by which the reserves or other conservation measures are to be implemented, including obligations of landowners and plan signatories and consequences of the failure to acquire lands in a timely manner.

(10) The plan contains provisions that ensure adequate funding to carry out the conservation actions identified in the plan.