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DELTA STEWARDSHIP COUNCIL

A California State Agency

Date: July 25, 2019

To: Delta Stewardship Councilmembers

From: Jessica Pearson, Executive Officer

Subject: **Council 2019 Workplan Update**

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Members
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At the January 2019 Council meeting, Executive Officer Jessica Pearson, Chief Deputy Executive Officer Jessica Law, and Delta Lead Scientist John Callaway presented a proposed 2019 Workplan to guide staff in implementing Council direction over the course of the year. Councilmembers also met in March 2019 in a public retreat at the Crocker Art Museum and discussed ways to contribute to the organization's mission, how to better utilize the Delta Plan Interagency Implementation Committee (DPIIC) as a forum to accomplish goals, and how to update and strengthen the Delta Stewardship Council's (Council) communications strategy.

This report provides a mid-year update on the Council's 2019 Workplan, including direction from the retreat and an update on major ongoing core program functions.

As of July 1, the Council has completed, on schedule, the 2019 Update to the Delta Science Plan, awarded \$9.6 million for 15 Delta-specific scientific study projects through the 2018/2019 Delta Science Proposal Solicitation, launched the performance measure tracking tool, completed the Delta Conservation Adaptive Management Action Strategy, completed the rulemaking process for a recent amendment to Delta Plan Policy G P1(b)(2) (mitigation measures), and executed the first complete appeal process for a certification of consistency (Smith Canal Gate Project).

The Council also has made significant progress on, and staff expects to complete by the end of the year, the rulemaking process for the Delta Levees Investment Strategy (DLIS) (Delta Plan Policy RR P1); the Delta Plan Five-Year Review, and a Communications Plan that will include the Public Participation Plan called for in the 2019 Workplan. In addition, the Council will receive an update from the Department of Water Resources (DWR) on Delta levees and the progress being made to implement an interagency MOU with the Council and Central Valley Flood Protection Board.

By the end of the year, DPIIC will begin implementing recommendations from the Science Funding and Governance Initiative and launched an informal interagency working group dedicated to advancing Delta restoration projects. This working group will also be instrumental

"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

in implementing forthcoming recommendations from the Council's amendment to the Ecosystem Chapter of the Delta Plan.

Two workplan items will take more time than originally slated. Work on the Delta Climate Change Vulnerability Assessment and Adaptation Strategy and the amendment to Chapter 4 of the Delta Plan is underway and will continue into 2020. Additional time is necessary due both to new activities that have emerged since the beginning of the year, as well as additional staff efforts to ensure a higher level of interagency and stakeholder engagement in both activities.

Workplan Progress

Three primary objectives organize the 2019 priorities:

Strengthen and Implement the Delta Plan

Focused effort to complete amendment of Delta Plan chapters (described below) will continue to be a major activity, as well as improving and strengthening tracking, reporting, and implementation of the Delta Plan consistent with the Delta Reform Act and State regulatory requirements.

1. Rulemaking for Conveyance, Storage Systems, and Operations of Both (CSO); Delta Levees Investment Strategy (DLIS); and Performance Measures:

Two of the amendments to the Delta Plan adopted by the Council in April 2018 required compliance with the Administrative Law and Regulatory Rulemaking process:

- The Council conducted a public hearing for Delta Plan Policy G P1 (b)(2) (Mitigation Measures) at the January 2019 Council meeting and approved the amendment to the regulation. The Office of Administrative Law (OAL) approved the rulemaking package, and the regulation became effective on July 1, 2019.
- For Delta Plan Policy RR P1 (Delta Levees Investment Strategy), the Council submitted a rulemaking package to the Office of Administrative Law (OAL) on July 5, 2019, and a public hearing on the rulemaking package is scheduled for the August Council meeting. If approved by the Council, staff expects to submit the rulemaking package to OAL this fall, and the regulation could then become effective on January 1, 2020.

2. Delta Plan Five-Year Review

A requirement of the Delta Reform Act (Water Code Section 85300 (c)), the Council's 2019 Workplan projected completion of the Delta Plan Five-Year Review in fall 2019. To date, the Council has:

- Completed individual and stakeholder focus group interviews, an online survey, and an in-depth staff evaluation of the Delta Plan; including assessments of the

relevance of policies and recommendations, and the effectiveness of the covered action process.

- Conducted a Council workshop to discuss the combined findings from the above-described assessments, receiving direction from the Council to prepare a draft Five-Year Review report for Council presentation in August. This discussion will lead to the preparation of a final report by the end of 2019 to inform Council Workplan priorities for 2020 and beyond.

3. Delta Plan Ecosystem Amendment

The 2019 Workplan expected that work would continue with partner agencies, stakeholders, and the public to amend Chapter 4 of the Delta Plan throughout 2019, with completion of the required environmental review in 2020. Although slightly behind that anticipated schedule, the Council has made major progress in developing preliminary recommendations and regulations for public review. This includes:

- Two public workshops to discuss and receive Council and public input on preliminary content, including a preliminary draft of Chapter narrative, policies and recommendations, and performance measures that will be used to inform a project description for a forthcoming California Environmental Quality Act (CEQA) document.
- During fall 2019, the Council will begin the CEQA review process and conduct a workshop on a revised preliminary draft Chapter 4, including Council consideration of an endorsement of the project description for purposes of CEQA. We expect work on the amendment to Chapter 4 throughout the rest of this year, and anticipate completion of the CEQA process in 2021.

4. Delta Climate Change Vulnerability Assessment and Adaptation Strategy

Recent developments in science and science synthesis efforts continue to improve our understanding of the effects of climate change. In the 2019 Workplan, the Council prioritized a three-year project to complete a Delta climate change vulnerability assessment to deepen our understanding of how global climate change and sea-level rise will impact the Delta, and subsequently develop an adaptation strategy with actions that State and local stakeholders can take. At the February 2019 meeting, the Council considered the scope of the project and discussed preliminary resilience goals to guide the project. Several new documents and efforts by other agencies have been recently released that has led staff to reassess the work program and schedule for this project.

Over the past several months, Council staff has been working with a Technical Advisory Committee and consultant team to:

- Develop an approach to modeling climate change impacts in the Delta and begin modeling efforts

- Prepare technical memos describing existing assets and their exposure to risk under multiple climate change scenarios across seven topics/sectors

Updated schedule: work on the vulnerability assessment will continue into 2020, and staff anticipates we will begin the adaptation strategy in 2020, completing the final adaptation strategy in 2021.

Build Capacity for One Delta, One Science

The Council continues to exhibit leadership to successfully build capacity in the Delta science community, most recently by completing the review and update of the Delta Science Plan, advancing the scientific understanding of the Delta through funding critical science investigations, supporting adaptive management, and hosting various forums to communicate science and science-policy issues.

1. Delta Science Plan Five-Year Review and Update

The Delta Science Plan is a shared vision and framework for collaborative science that aims to accelerate the pace at which we develop, synthesize, and advance Delta science knowledge. It is the product of over 30 agencies and stakeholders and identifies 31 actions that strengthen the implementation and communication of science in the Delta. It is one element of a three-part planning, implementation, and reporting strategy to advance the vision of “*One Delta, One Science.*” Recommendations in the report are designed to inform Council, and other agency, science priorities for 2020 and beyond.

- Final revisions to the Delta Science Plan were presented at the March 2019 Council meeting, and the Council endorsed the final 2019 Delta Science Plan.
- Production of the report was an all-agency effort and a significant achievement for the Council.

2. Funding for Critical Science Investigations

In October 2018, the Delta Science Program, California Department of Fish and Wildlife (CDFW), and the U.S. Bureau of Reclamation (Bureau) issued a milestone joint competitive Delta science solicitation totaling \$17 million. The joint solicitation was a substantial achievement in interagency collaboration and further showcases the Council’s leadership and investment in “*One Delta, One Science.*” More than 60 proposals were submitted for this solicitation, totaling over \$43 million in research requests. This year:

- Staff implemented a rigorous, independent, and national-scale review process to evaluate the proposals. At the Council meeting in April, councilmembers approved 22 contract agreements for 15 research projects totaling approximately \$9.6 million. The approved projects span a range of management-relevant research on fish, restoration, carbon dynamics, contaminants, food webs, aquatic vegetation, levees, and other Delta topics.

- CDFW awarded an additional \$7.4 million in Proposition 1 funds to projects from the same pool of applicants, and the Bureau contributed \$2 million towards the Council's awarded projects.

3. Science-Support for Adaptive Management and Decision Support

One of the substantial challenges to achieve the coequal goals is the dynamic nature of the Delta and associated complexity and uncertainty of actions and outcomes. The predominant way we address this uncertainty is to build science into management practices through the use of adaptive management, as directed by statute and required by the Delta Plan.

So far this year, the Delta Science Program:

- Led a well-attended Adaptive Management Forum in February 2019 to provide training and build capacity for restoration practitioners, using lessons learned from the Delta and elsewhere. Recurring themes throughout the Forum were the importance of sharing data and effectively communicating results to foster learning and improvement to adaptive management practices so projects can better achieve their goals, and the need for streamlined permitting process for habitat restoration work in the Delta.
- Completed an interagency effort to develop a Delta Conservation Adaptive Management Action Strategy in April 2019. Adaptive management is required by the Delta Plan and multiple other regulatory processes, but conservation projects still face challenges in fully implementing adaptive management. The Action Strategy white paper outlines a series of activities to address these challenges. The interagency group led by Council staff, the Interagency Adaptive Management Integration Team, is already at work implementing key recommendations of the Action Strategy.
- Continued to play a lead role in advancing adaptive management in other ways including through early consultation support, providing leadership on collaborative model development, and facilitating a pilot effort for structured decision-making in the Delta for the Bureau.

4. Delta Social Science Task Force

The Delta Science Program kicked off the Social Science Task Force (Task Force) in response to growing interest in social science issues within the Delta. The Task Force is charged with developing a strategic plan to strengthen and integrate social sciences into the science, management, and policy landscape of the Delta.

- The Task Force held its kick-off meeting in January 2019 and recently hosted a workshop on July 23 to explore how social science research can help address Delta management challenges. The Task Force will continue to meet throughout 2019 and anticipates completing its strategy by spring 2020.

Enhance Council Leadership and Communications

The Council continued to further its role and mission through the DPIIC and development of a public participation plan as part of a broader communications plan to foster inclusive and open engagement and improve understanding of Council activities.

1. Delta Plan Interagency Implementation Committee (DPIIC)

Established by law, the DPIIC serves as a forum to discuss, consider, and orchestrate the timely implementation of actions identified in the Delta Plan and Delta Science Plan. This multi-agency effort provides leadership and accountability, highlighting where agency alignment and actions can have the most significant positive impact.

This year, DPIIC has:

- Endorsed formation of a workgroup to develop recommendations for how to strengthen and support Delta science. This work will build on recommendations from the Delta Science Funding Initiative Workgroup white paper (2018) and from the Delta Independent Science Board on forward-looking science.
- Launched an informal interagency working group dedicated to advancing Delta restoration projects that will be instrumental in implementing forthcoming recommendations from the Council's amendment to the Ecosystem Chapter of the Delta Plan.
- Convened a meeting to discuss the implementation of the Governor's Water Resilience Portfolio (Executive Order N-10-19).

2. Public Participation Plan/Communication Plan

Since the Council's inception, its communication and outreach efforts have focused on informing stakeholders about the development of plans, amendments, and covered actions through meetings, events, and research publications. In response to the Council's discussion at its March workshop, staff is developing a communication plan that will encompass all aspects of Council communications, including public participation, to improve public understanding of and engagement with Council activities.

To date, staff has:

- Surveyed stakeholders about Council communications as part of the Five-Year Review stakeholder assessment.
- Conducted an internal evaluation of its public participation efforts
- Released an external public participation survey to assist in evaluating its current public participation efforts.

Staff anticipates a discussion of a draft communications plan, including public participation, with the Council in fall 2019. The plan is expected to be completed by the end of 2019.

Core Functions

In addition to this year's workplan priorities, staff has continued to perform the core functions that support Delta Plan and Delta Science Plan implementation, as well as supported core administrative functions. Included in this is operations planning designed to evaluate and improve staff capacity, improve administrative processes, increase diversity, recruitment, and training opportunities, and more – with the intention of improving our ability as a workforce to execute Council priorities and future workplans.

Some examples of major core activities:

1. Delta Plan Performance Measure Tracking Reporting – In February, the Council published a user-friendly reporting system and guidebook for the output and outcome performance measures. Staff has also been working with the San Francisco Estuary Partnership, and others, to incorporate some of our performance measures into a State of the Estuary Report that will be released in October at the State of the Estuary Conference.
2. Regulatory Role and Covered Actions – Staff continues to support Delta Plan consistency of covered actions through early consultation, science support, comments on CEQA documents, training for agencies and stakeholders, and maintenance of the online certification system. To date, two covered actions filed a certification of consistency in 2019 (Winter Island Tidal Habitat Restoration Project (DWR), Northwest Levee Improvement Project and Stone Road Seepage Reduction Project (Bethel Island Municipal Improvement District)). In March, the Council also denied an appeal to the San Joaquin Flood Control Agency's Smith Canal Gate Project filed by the Atherton Cove Property Owners Association.
3. Independent Scientific Peer Review, Advice, and Synthesis – The Delta Science Program has continued to provide peer review, advice, and synthesis services to support state and federal agencies' Delta decision-making, and support the work of the Delta Independent Science Board.

This year, the Science Program:

- Facilitated the Bay-Delta Plan Biological Goals Scientific Advisory Panel meeting in March 2019. Formed at the request of the State Water Resources Control Board, this advisory panel presented its recommendations for developing scientifically defensible methods for formulating biological goals that can be used to assess progress toward achieving the Bay-Delta Plan's narrative objectives.
- Completed a synthesis of ecosystem impacts of the 2015 Emergency Drought Barrier at False River, with a peer-reviewed paper that will be published

shortly in *San Francisco Estuary and Watershed Sciences*, and continued support for evaluating Delta water quality before major upgrades to the treatment system at the Sacramento wastewater treatment plant.

- Facilitated on-going work of the Delta Independent Science Board, which recently released a draft review of the Interagency Ecological Program and convened a well-attended public workshop that will provide input for their review of Delta monitoring efforts.

Ongoing Agency and Science Communication – Staff has continued to provide meeting support, published the 2018 annual report and other publications, factsheets, website updates, and presentations; as well as science communications support for seminars, brown bags, symposia, and workshops that serve the entire Delta science community.