

NOV. 2021

Delta Plan Ecosystem Amendment

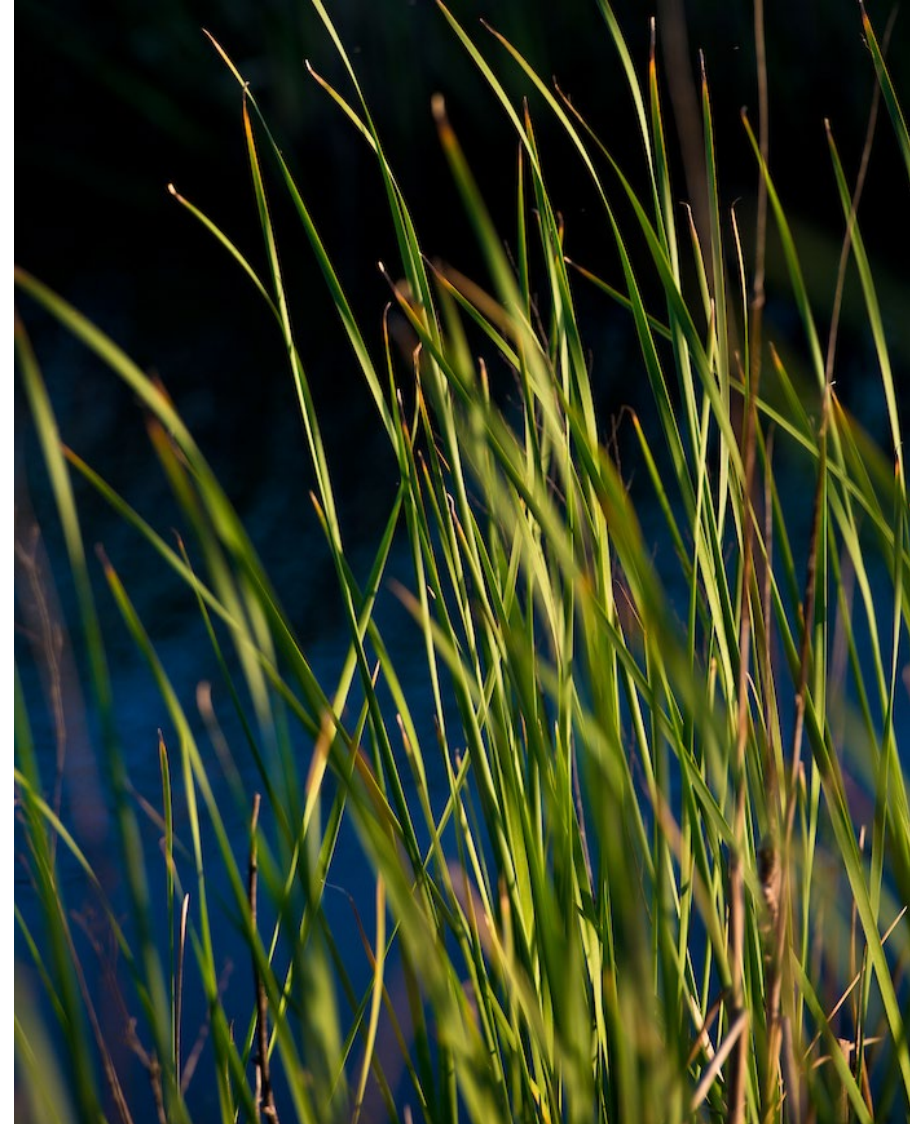


**Delta
Stewardship
Council**

A CALIFORNIA STATE AGENCY

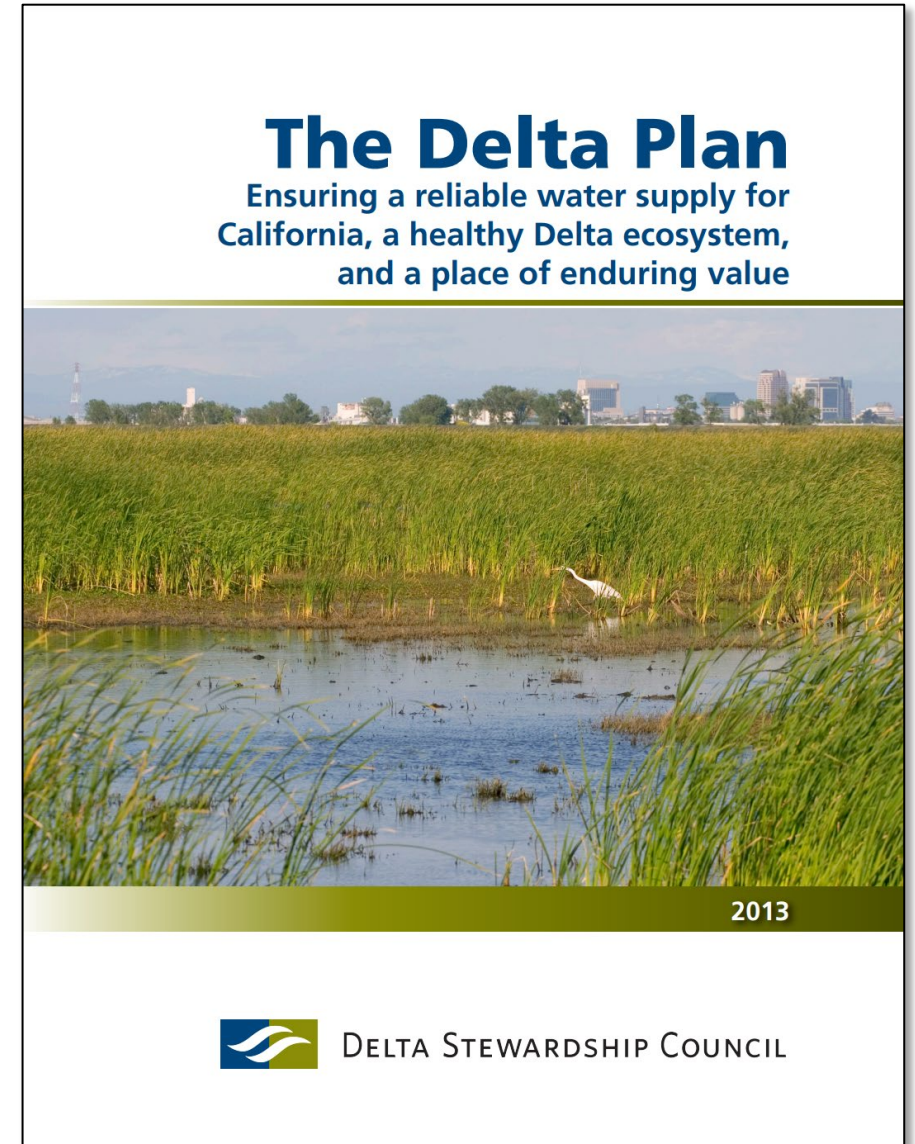
Overview

- Background
- CEQA Process
- PEIR Alternatives analyzed
- Key conclusions of PEIR
- Next steps



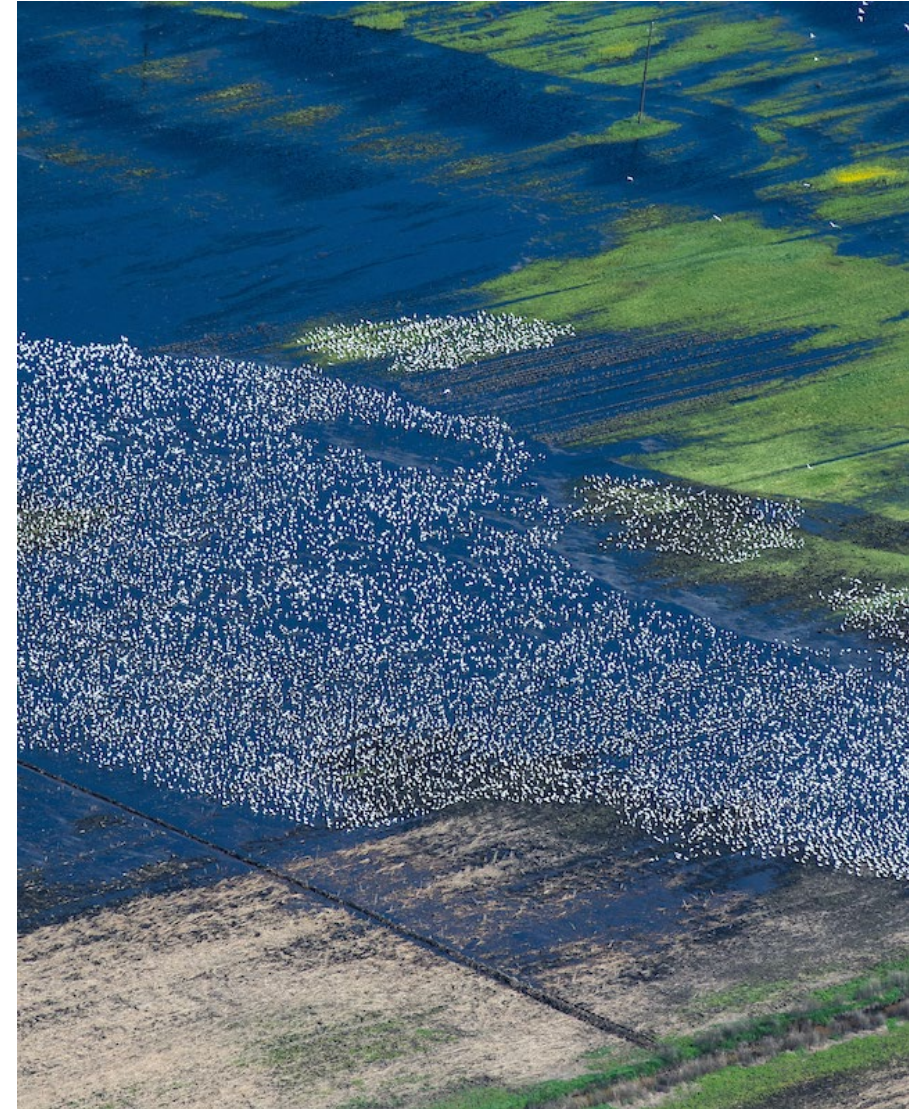
About the Delta Plan

- Comprehensive resource management plan for the Delta and Suisun Marsh – required under Delta Reform Act in 2009
- Originally adopted by the Delta Stewardship Council in 2013
- Includes regulations applicable to “covered actions”, recommendations to other agencies, and performance measures to track progress
- Since 2013, parts of the Delta Plan have been revised due to changed circumstances and conditions in the Delta



Background

- Delta Plan Chapter 4 originally anticipated Bay-Delta Conservation Plan (BDCP)
- Amendment in response to 2015 pivot away from BDCP, new science, and understanding of effective restoration
- Amendment in discussion since 2016
- Eco Amendment (Proposed Project) CEQA process started with NOP scoping meeting in May 2020



Guidance and vision for restoration



Multibenefit
Benefit nature
and people

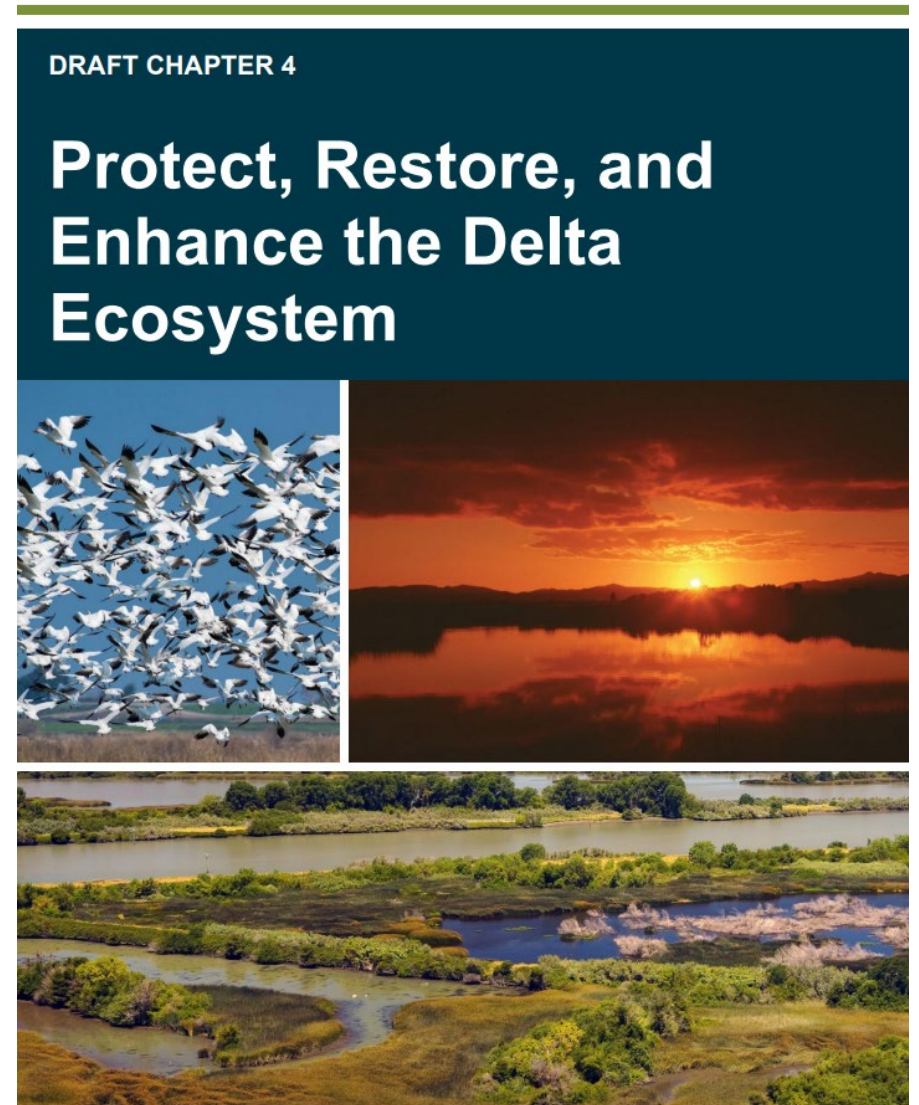
Function
Restore function
and process

**Scale, Diversity,
Resiliency**
Create scale and
connectivity

Background illustration by Yiping Lu (UC Berkeley); SFEI-ASC 2016

Ecosystem Amendment

- A more comprehensive approach is required to achieve the goals and strategies described in the Delta Reform Act.
- Incorporates updated science and understanding of ecosystem needs
- Five core strategies:
 1. More natural, functional flows
 2. Restore ecosystem function
 3. Protect land for restoration
 4. Protect native species, reduce impact of nonnative invasive species
 5. Improve institutional coordination



Create More Natural Functional Flows

Core Strategy 1



Policies:

ER P1 – Delta Flow Objectives

Recommendations:

 ER R1 – Update Delta Flow Objectives

Performance Measures:

4.2a-d – Yolo Bypass, Peak Flows,
Recession Flows, In-Delta Flows

Restore Ecosystem Function

Core Strategy 2



Priority attributes for protection, restoration, and enhancement actions:

1. Restore hydrological, geomorphic, and biological processes
2. Be large-scale
3. Improve connectivity
4. Increase native vegetation cover
5. Benefit at-risk natural communities or species

Restore Ecosystem Function

Core Strategy 2



Policies:



ER PA – Contributions to Restoring Ecosystem Function and Providing Social Benefits



ER P4 – Expand Floodplains and Riparian Habitat in Levee Projects

Recommendations:



ER RA – Public Funding for Restoration



ER RB – Good Neighbor Checklist

ER R4 – Exempt Delta Levees from US Army Corps Veg Policy

Performance Measures:



4.14 – Increase Funding for Restoration



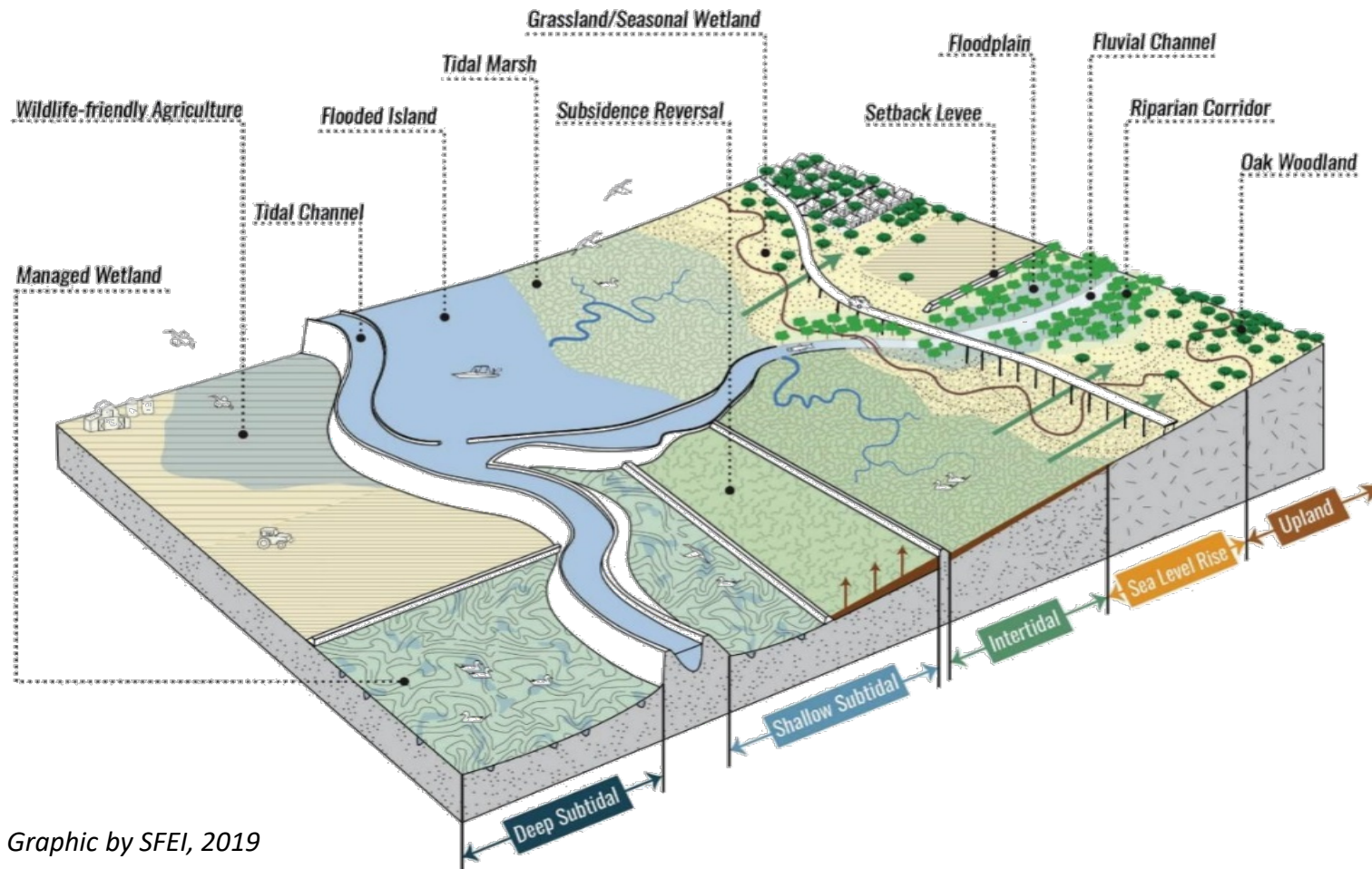
4.15 – Seasonal Inundation



4.16 – Restore Natural Communities

Protect Land for Restoration and Safeguard Against Land Loss

Core Strategy 3



- Protect existing but limited opportunities for tidal marsh restoration
- Halt and reverse subsidence
- Consider sea-level rise in restoration planning

Protect Land for Restoration and Safeguard Against Land Loss

Core Strategy 3

Policies:



ER P2 – Restore Habitats at Appropriate Elevations



ER P3 – Protect Opportunities to Restore Habitat

Recommendations:



ER R5 – Update the Suisun Marsh Protection Plan



ER RC – Fund Targeted Subsidence Reversal Actions



ER RD – Enhance Working Landscapes through RCDs.



ER RE – Develop and Update Management Plans to Halt Subsidence on Public Lands

Performance Measures:



4.12 – Subsidence Reversal for Tidal Reconnection

Protect Native Species and Reduce the Impact of Nonnative Invasive Species

Core Strategy 4

Policies:

ER P5 – Avoid Introductions Of and Habitat Improvements for Nonnative Invasive Species

Recommendations:

 ER R7 – Prioritize and Implement Actions to Control Nonnative Invasive Species

 ER RH – Improve Fish Migration within the Delta and Sacramento-San Joaquin Watershed

 ER RI – Fund Projects to Improve Survival of Juvenile Salmon.

 ER R8 – Manage Hatcheries to Reduce Genetic Risk

 ER R9 – Coordinate Acoustic Telemetry Program

Performance Measures:

 4.6 – Doubling Goal for Central Valley Chinook Salmon Natural Production

4.10 – Terrestrial and Aquatic Invasive Species

 4.13 – Restore and Enhance Fish Habitat Connectivity

Improve Institutional Coordination to Support Implementation of Ecosystem Protection, Restoration, and Enhancement

Core Strategy 5



Recommendations:



ER RF – Support Implementation of Ecosystem Restoration



ER RG – Align State Restoration Plans and Conservation Strategies with the Delta Plan

Amendment Timeline

Timeline anticipated to run
from 2016-2022

2016-18

Foundation

Foundation, approach,
and synthesis papers
developed

Preliminary Draft

Prelim. Draft and
comments in
November 2019

May 2020 Draft

Draft released May
2020 incorporating
public feedback

Draft PEIR

PEIR Draft to be
issued September
2021

CEQA Process

2020

- NOP Release and draft Ch. 4 in May 2020
- 60-day response to comments

2021

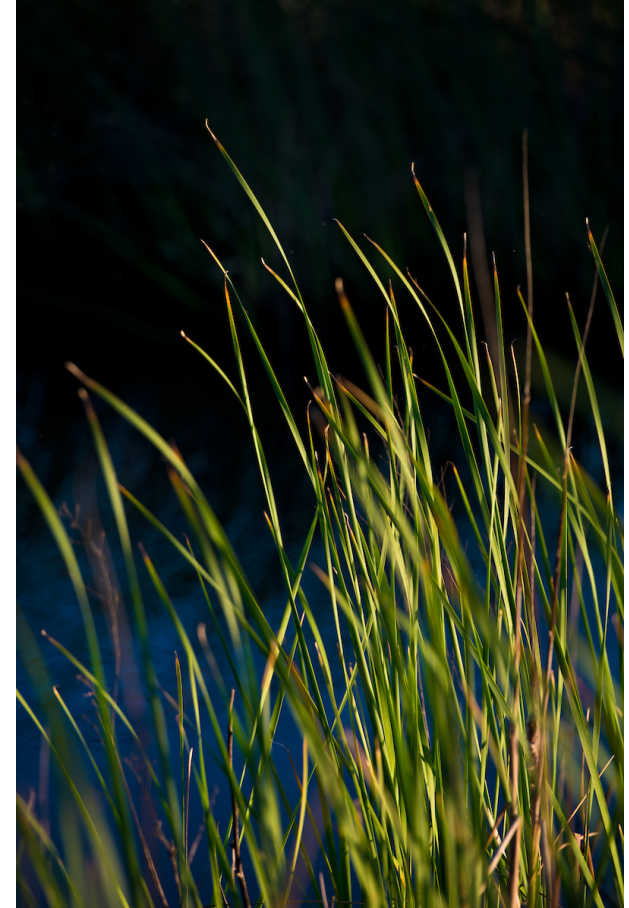
- Draft PEIR release September 27, 2021
- Public comment period Sept. 27-Nov. 30

'21-'22

- Response to comments and revisions to PEIR
- Rulemaking (if Council approves)

Comments Received on NOP

- Description of the Proposed Project evaluated
- Concerns/suggestions for core strategies, policies, recommendations, and performance measures
- Range of alternatives to be evaluated
- Definition of environmental and regulatory setting
- Technical and resource-specific considerations
- Cumulative impacts
- Consistency and compliance with existing laws and plans, including Public Trust Doctrine



Planning + Extended Area

- Planning Area
 - Delta
 - Suisun Marsh
- Extended Area
 - Delta watershed
 - Areas outside Delta watershed that use Delta water



PEIR Basics

- Includes multiple components or actions
- Analyzes potential impacts of objectives and policies, but no individual projects
- Ability to "tier" off this PEIR and reduces the burden for others
- Analyzes:
 - General activities:
 - Potential projects:
 - Construction impacts:



PEIR Analysis of potential impacts

- Primary Planning Area:
 - Floodplain habitat
 - Restoration and enhancement
 - Subsidence reversal
 - Non-native species removal
- Primary/Extended Planning areas:
 - Changes in flow
 - Fish passage improvements
 - Hatchery management
 - Improved efficiency/effectiveness of regulatory oversight, implementation, monitoring and management

PEIR Topics Analyzed

PEIR analyzes impacts to resource areas:

- Aesthetics
- Agriculture and forestry
- Air quality and greenhouse gas emissions
- Biological resources
- Cultural resources
- Energy
- Geology and soils
- Hazards and hazardous materials
- Hydrology and water quality
- Land use and planning
- Population and housing
- Transportation and traffic
- Tribal cultural resources
- Utilities and public services
- Wildfire

PEIR Key Conclusions

- Significant and unavoidable impacts identified for all but two impact areas
 - Conservative approach recognizes uncertainty, and actions would be implemented by entities other than the Council
 - Will require statement of overriding considerations when Council certifies the Final PEIR
 - Less-than-significant impacts for energy resources and for population and housing



Mitigation Measures

- Many mitigation measures (MM) same as 2013 Delta Plan EIR
- New MMs added for several resource areas, including agricultural land zoning, special-status species, and recreational facilities
- Updated MMs: updated to newer best practices
- Applies to all covered actions

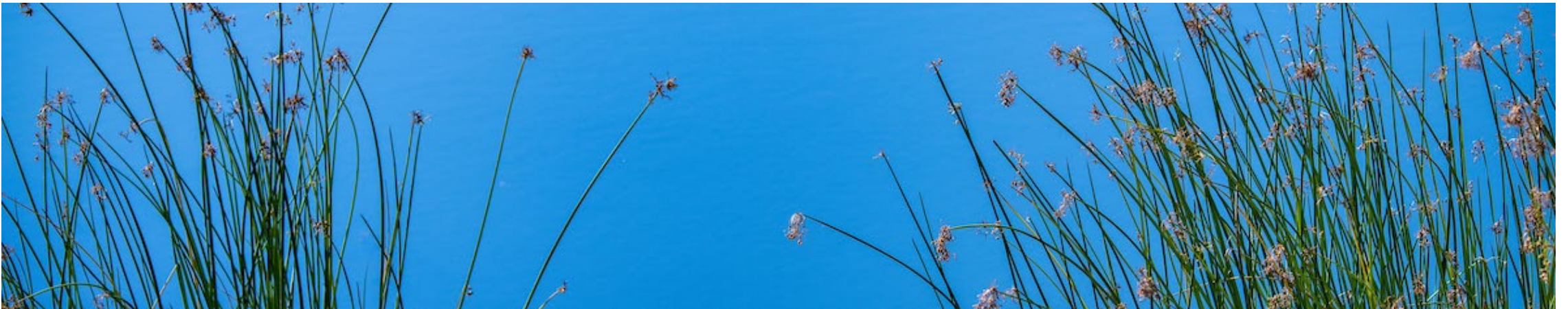


PEIR Alternatives Analyzed

1. Proposed Project
2. No Project: Existing conditions at time of NOP + what would be reasonably expected to occur without Ecosystem Amendment
3. Alt. 1: Ag. Land protection: Reduces impacts of ecosystem restoration projects on agricultural working lands in the Delta.
4. Alt. 2: Reduced waterside restoration: Would not promote channel widening and levee setback projects.
5. Alt. 3: Reduced restoration footprint (*Environmentally Superior*): Reduces the Proposed Project footprint by reducing target restoration acreages.

PEIR Findings

- Similar impacts between Proposed Project and No Project Alternative, but No Project Alternative does not meet project objectives
- Alternatives 1-3 have similar impacts, but impacts are reduced in some resource areas
- Alternative 3 is environmentally superior per CEQA, but only partially achieves project objectives



Next Steps

Sept. '21

- Draft PEIR release September 27, 2021
- Public comment period Sept. 27-Nov. 30

Dec.-Feb.

- Staff response to comments
- Revisions as needed
- Final PEIR in Spring 2022

2022

- Rulemaking (if Council approves)

An aerial photograph of a wide river meandering through a landscape of agricultural fields. The river is a prominent feature, curving from the upper left towards the lower right. The surrounding land is divided into various plots, some of which are lush green, while others appear to be recently tilled or in a different stage of growth. In the background, there are rolling hills and a sky filled with large, white, fluffy clouds. The overall scene suggests a rural or agricultural setting.

QUESTIONS?