



DELTA STEWARDSHIP COUNCIL

A California State Agency

Notice of Release of Preliminary Public Review Draft Delta Plan Chapter 4

The Delta Stewardship Council (Council) is pleased to announce the availability of a preliminary draft proposed amendment to Chapter 4 of the Delta Plan (Protect, Restore, and Enhance the Delta Ecosystem) for public review and comment. The proposed amendment available for review will inform the development of a project description for analysis in a California Environmental Quality Act (CEQA) document. Public comments received on this Preliminary Public Review Draft also will inform the project description.

The preliminary draft Chapter 4 documents available in this pre-CEQA public review are: 1) the revised narrative, which includes (at the end) new and revised policies and recommendations; 2) three regulatory appendices, each of which accompanies an applicable new or revised policy; 3) new and revised performance measures (Appendix E); and 4) six output/outcome performance measure datasheets (five new and one revised).

Chapter 4 documents that are being prepared for the proposed amendment also include four technical appendices that provide context and best available science for the amendment. These technical appendices contain numerous maps and other figures and are currently undergoing remediation for digital accessibility as required by Government Code section 11546.7. These technical appendices will be digitally publicly available no later than the commencement of the CEQA process. They are currently available upon request by emailing archives@deltacouncil.ca.gov.

45-Day Public Comment Period

The public comment period on draft Chapter 4 is forty-five (45) days, from November 22, 2019 to January 6, 2020.

Any agency, organization, or member of the public may submit written comments relevant to the proposed amendment no later than **January 6, 2020 at 5:00 pm** by the following methods:

- by email to ecosystemamendment@deltacouncil.ca.gov; or
- by mail to Ecosystem Amendment, Delta Stewardship Council, 980 Ninth Street, Suite 1500, Sacramento, CA 95814.

"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

Background

The amendment is under preliminary consideration by the Council, to address a fundamental shift in how conservation is being planned and implemented in the Delta. The Council has been working to develop an approach to amend Chapter 4 of the Delta Plan since 2016, following the move away from the Bay Delta Conservation Plan (BDCP).

The Delta Plan was adopted in 2013, while the BDCP planning process was underway. The BDCP proposed a large, landscape-scale restoration program and reserve system within the Delta. In accordance with California Water Code section 85320(e), Chapter 4 of the Delta Plan was based on the expectation that the BDCP would be incorporated into the Delta Plan. In May of 2015, State and federal agencies shifted their approach from broad-based ecosystem protection and restoration strategies under the BDCP, to a more focused set of mitigation projects required under the National Marine Fisheries Service and U.S. Fish and Wildlife Service Biological Opinions for operation of the State and federal water projects. Following this shift, the Council made a commitment to revisit the Delta Plan to assess the need for an amendment to Chapter 4.¹

This preliminary public review draft was developed based on robust stakeholder engagement and scientific synthesis. Council has consulted a range of stakeholders, including State, federal, and local agencies, and Delta residents, through listening sessions and public Council meetings, and has sought input from Council and Delta Independent Science Board (Delta ISB) members in public meetings. Stakeholder and Delta ISB input helped identify key issues and priorities; provided case studies and research to support draft policy concepts; and identified a need to synthesize the latest scientific literature as a basis for decision-making.

Since the adoption of the Delta Plan in 2013, new scientific research has improved the understanding of stressors on the Delta ecosystem, and the potential future impacts of climate change and sea level rise on restoration approaches within the Delta and its watershed. In 2018, Council staff completed three science synthesis papers that comprehensively document the best available scientific and technical information to inform the Ecosystem Amendment: (1) *Climate Change and the Delta*, (2) *Delta Ecosystem Stressors*, and (3) *Towards the Protection, Restoration, and Enhancement of the Delta Ecosystem*. The proposed approach to the Chapter 4 amendment is based on the information and scientific advances identified in these synthesis papers, as well as new institutional frameworks identified through the stakeholder consultation process.

Project Description/CEQA

After the close of the public review period announced in this Notice, Council staff will review public comments, and prepare a draft project description for the Council's consideration. Subsequently, staff will present the draft project description to the Council at a duly noticed public meeting for endorsement as the proposed project description for purposes of environmental review pursuant to CEQA. Once the proposed project description receives

¹ The Council separately adopted a Delta Plan amendment to address conveyance, storage, and operations of the water supply system, which had also been a component of the BDCP.

Council endorsement, Council staff will release a Notice of Preparation of an Environmental Impact Report and initiate CEQA scoping meetings.

Chapter 4 Documents Available for Review

Preliminary Draft Chapter 4. Protect, Restore, and Enhance the Delta Ecosystem

The preliminary draft Chapter 4 narrative provides a brief history of the Delta ecosystem, describes current conditions in the estuary, and presents the five core strategies which form the basis for the policies and recommendations pertinent to the coequal goal of protecting, restoring, and enhancing the Delta ecosystem. The five core strategies articulate the need to: 1) create more natural, functional flows; 2) restore ecosystem function; 3) protect land for restoration and safeguard against land loss; 4) protect native species and reduce the impact of nonnative invasive species, and; 5) improve institutional coordination to support implementation of ecosystem protection, restoration, and enhancement. For each core strategy, the narrative links key scientific findings to existing and projected conditions in the Delta ecosystem, outlines the strategic approach set forth by the proposed policies and recommendations, and describes anticipated outputs and outcomes to be tracked by performance measures.

The preliminary draft narrative also includes (at the end of the document) the preliminary draft amendments to policies and recommendations. The preliminary draft amendment proposes one new regulatory policy, revisions to three existing regulatory policies, nine new recommendations, revisions to three existing recommendations, and removal of three existing recommendations.

Preliminary Draft Regulatory Appendices

The preliminary public review draft includes three proposed regulatory appendices to the Delta Plan listed below.

- *Appendix 3A. Disclosing Contributions to Restoring Ecosystem Function and Providing Social Benefits* (regulatory appendix for New ER Policy “A”)
- *Appendix 4A. Protecting, Restoring, and Enhancing Habitats at Appropriate Elevations* (regulatory appendix for ER P2)
- *Appendix 8A. Physical Expansion of the Channel Width Evaluation Areas* (updated regulatory map for ER P4)

Proposed Performance Measures

The preliminary public review draft also includes proposed modifications and additions to Performance Measures for the Delta Plan (Appendix E) and Performance Measure Data Sheets.

- *Performance Measures for the Delta Plan (Appendix E)*
The public review draft proposes five new output/outcome performance measures, modifications to one existing output/outcome performance measure, 14 new administrative performance measures, and modifications to 12 existing administrative performance measures.
- *Performance Measure Data Sheets*

The preliminary public review draft includes five new performance measure data sheets, one for each new proposed output/outcome performance measures, and one modified performance measure data sheet for the proposed modified output/outcome performance measure. The data sheets provide detailed methods, metrics, and targets for the proposed output/outcome performance measures. The data sheets will undergo the Delta Science Program's peer review process, as recommended by the Delta ISB, concurrent with this public review.