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MEMORANDUM

Date: July 20, 2023

To: Councilmembers

From: Martina Koller and Jeff Henderson

Subject: 2023 Five-Year Review of the Delta Plan

Background and Purpose of Delta Plan Five-Year Review

The Delta Plan, adopted by the Council pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act), is a long-term, comprehensive management plan for the Delta to further the coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem, in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as a place (these values are collectively referred to in this memorandum as “Delta as Place”). (Wat. Code sections 85300(a) and 85054.) The Delta Reform Act requires the Council to review the Delta Plan at least once every five years, and the Council may revise the Delta Plan as the Council deems appropriate. (Wat. Code section 85300(c).)

The purpose of the Delta Plan Five-Year Review is to consider progress in implementing the Delta Plan over the preceding five years as it relates to its core elements (i.e., policies, recommendations, performance measures), to identify areas where progress has been made or is lacking, and to inform the Council about opportunities to address deficiencies. The Five-Year Review recommends priority Council actions for the subsequent five years. Consistent with the flexible decision-making framework known as adaptive management, this review process ensures

that the Delta Plan is responsive to changes in the natural and societal environments, to evolving science and knowledge, as well as to the pace and uncertainty of climate change.

At the August 25, 2022, Council meeting, staff presented to the Council a proposed approach to completing the 2023 Delta Plan Five-Year Review as part of the Executive Officer's report. As described in that approach, the 2023 Delta Plan Five-Year Review would have three objectives:

- Evaluate progress made in implementing the Delta Plan using the Plan's suite of performance measures
- Focus and prioritize the Council's near-term efforts to implement the Delta Plan
- Identify planning topics and emerging issues that may inform future Delta Plan amendments

2019 Delta Plan Five-Year Review

The first Delta Plan Five-Year Review was completed in 2019, covering the period from the Delta Plan's adoption in 2013 to the first five-year milepost in 2018. The 2019 Five-Year Review was based on:

- A comprehensive review of the Delta Plan and evaluation of the status of implementation activities
- Extensive surveys and focus group interviews with agencies and stakeholders to understand how stakeholders view and use the Delta Plan
- Input from Council members

The 2019 Five-Year Review included findings and recommendations for the Council's near-term actions on these issues:

- Strengthening Delta Plan implementation:
 - Proactive outreach and early consultation
 - Review administrative procedures governing appeals
 - Communicate adaptive management requirements and focus on ways to customize the application of the adaptive management framework to specific projects
- Key planning topics and emerging issues:
 - Environmental justice and disadvantaged communities
 - Robust treatment of climate change risks to the Delta
 - Federal coordination and participation
 - Various aspects of the Delta as an evolving place
- Staff development and technological advancement:

- Develop an information technology plan to meet technological development needs
- Develop internal capacity to deploy a variety of communication tools
- Invest in resources to support covered actions

The Council has been working towards implementing the recommended actions since 2019. The 2023 Five-Year Review will describe achievements in these areas to date.

2023 Delta Plan Five-Year Review

In this second Five-Year Review, the Council has a unique opportunity to evaluate implementation of the Delta Plan using its portfolio of performance measures. Delta Plan performance measures establish measurable targets that provide information on the status and trends toward meeting the coequal goals. The Council can use this information to evaluate Delta Plan progress and effectiveness in furthering the coequal goals and to inform its decision-making (see Water Code sections 85211, 85302 and 85308). The Delta Plan performance measures were adopted in 2018 with additional ecosystem performance measures adopted in 2022. Not enough performance measure data was available to inform the 2019 Five-Year Review.

In the Delta Plan, the Council selected quantitative performance measures based on best available data and science, management relevance, and in support of Delta Plan goals. The performance measures were developed through a multi-year process that involved state, federal, and local agencies, scientists, and stakeholders. The Delta Plan quantitative performance measures track time-bound and measurable objectives for desired outcomes of management actions and associated system responses. System responses to management actions are the hardest to measure and assess due to inherent uncertainties and impacts of external factors. Yet, the evaluation of system outcomes is most relevant to the goals and objectives of the Delta Plan.

The 2023 Five-Year Review will use the quantitative performance measures to evaluate progress in implementing the Delta Plan. These findings will inform the Council, partner agencies, stakeholders, and the public and provide recommendations for near-term priorities, planning topics, and emerging issues in the Council workplan and actions.

Performance Measures Score Card: From Detailed to Generalized

Performance measures describe important trends and track whether specific actions are producing expected results. Each performance measure is characterized by one or more performance metrics as the unit of measurement. A

performance target is set for each metric and expresses a quantitative management endpoint. Evaluation of the status is based on scoring each performance metric against its target value, between the baseline period and 2022. Performance baselines were established using conditions prior to the adoption of the original Delta Plan in 2013. Metric scoring is averaged for each performance measure and these scores inform progress reports for each Delta Plan core action/strategy, and an overall progress evaluation toward the coequal goals and Delta as Place. It should be noted that uncertainties and nonlinearity between management actions and the system outcomes contribute to the difficulty of translating the performance measures assessments into the overall and generalized progress report.

The performance-based Five-Year Review will describe an interim status of progress achieved over the time when the Delta Plan is in effect and highlights environmental and administrative changes resulting from implementation of Delta Plan policies and recommendations. The period of Delta Plan implementation is still short with respect to the ability to observe significant impacts of Delta Plan actions, and the Five-Year Review performance summary should be taken as an informational 'pulse check' that will inform and adjust the trajectory of future progress, and will allow for comparisons over time.

Other Components of the Five-Year Review

To address other key components of the Delta Plan and Council's core functions not readily measured by the qualitative performance measures, the 2023 Five-Year Review will also include reviews of:

- The Council's covered actions and appeals processes
- Application of adaptive management and best available science to strengthen Delta Plan implementation
- The Council's leadership and coordination of the Delta Plan Interagency Implementation Committee (DPIIC)

Looking Ahead

The Five-Year Review will inform an updated set of near-term priority actions and identify key emerging issues and recommendations for Council to consider and potentially act on. As with the 2019 Review, staff anticipates that the 2023 Review will provide recommendations that drive the content of upcoming Council Priorities, Council staff's strategic work plan, and the full suite of Council activities ranging from Delta Plan Implementation, to Science funding, to communications, and the Council's interactions with the Delta Independent Science Board, the Delta

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Plan Interagency Implementation Committee, and our interactions with other state, federal and local agencies.