

DRAFT DO NOT CITE

December 4, 2023

State Water Resources Control Board
Division of Water Rights
Attn: Bay Delta & Hearings Branch
P.O. Box 100
Sacramento, CA 95812-2000

Sent via email: SacDeltaComments@waterboards.ca.gov

Re: Comments on the Sacramento / Delta Draft Staff Report

The Delta Independent Science Board (Delta ISB) examined the draft Staff Report/Substitute Environmental Document (Staff Report) in support of possible updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento San Joaquin Delta Estuary (Bay Delta Plan) for responsiveness to our [earlier comments](#) on the [Draft Scientific Basis Report Supplement in Support of Proposed Voluntary Agreements](#) (hereafter the “Scientific Supplement”) and the Memorandum of Understanding Advancing a Term Sheet for the Voluntary Agreements to Update and Implement the Bay-Delta Water Quality Control Plan, and Other Related Actions ([MOU of 29 March 2022](#) and [revised 10 November 2022](#)).

We are writing this letter to emphasize our previous comments about the critical importance of a rigorous scientifically-based monitoring, assessment, and reporting program for the selected implementation pathway. While the Final Draft Scientific Supplement provided in Appendix G2 of the Staff Report includes revisions that were responsive to some of the Delta ISB’s recent comments, details regarding the implementation plan are not described in the Staff Report. We emphasize three key points below.

First, a monitoring, assessment, and reporting plan needs to be carefully designed to provide the scope and scale of scientific evidence necessary for adaptive management. In doing so, the plan should identify feasible and relevant quantitative performance metrics to test whether changes in water flows and habitat area are having the anticipated effects. In addition, detailed data analyses will be needed to interpret results, given the many confounding factors, high variability, and other ongoing changes in the system. Such a plan will further require approaches to manage uncertainty in the decision process and adapt to unexpected changes in climate and other drivers.

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Second, we note that the current MOU description lacks some desirable details for assuring a thorough and rigorous approach to address system complexity. We understand that full implementation details for science and monitoring have not yet been described, although some have been included in the MOU portion of the Voluntary Agreements. The lack of detail in the current documents is concerning, however, especially in light of the recent [Delta ISB review of the Delta monitoring enterprise](#) that found that data being collected did not always match needs to assess management performance.

Third, we have concerns that the metrics being proposed may not fully support evidence-based adaptive management decisions. In particular, the lack of clarity on what metric changes would trigger decisions to alter management approaches makes it difficult to assess the adequacy of the agreement. Additional details on our concerns are in our previous [ISB VA/MOU comments](#).

In sum, concrete plans for data management, analysis and synthesis will be critical to successful adaptive management of the Bay Delta Plan regardless of the implementation path selected for the updated plan. We strongly recommend that the scientific monitoring, assessment, and reporting approach for implementing the updated Bay-Delta Plan include appropriate scientific and community input and mechanisms for providing sufficient funding for the approach.

If you have any questions or would like to discuss these comments, please contact us at disb@deltacouncil.ca.gov.

Sincerely,

Lisa Wainger
Chair, Delta Independent Science Board

CC:

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