State of California - The Resources Agency ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
1416 9th Street
Sacramento, California 95814

October 11, 2006

CALFED Independent Science Board
Attention: Dr. Jeffrey Mount, Chair
650 Capitol Mall, 5th Floor
Sacramento, California 95616

Honorable Members of the Independent Science Board:

This is in response to Dr. Jeffrey Mount's inquiry at the September 13, 2006 Bay-Delta Public Advisory Committee (BDPAC) meeting and the Independent Science Board's (ISB) letter dated September 12, 2006 asking how the Ecosystem Restoration Program (ERP) Implementing Agencies were accomplishing the function of an independent scientific advisory board for the ERP, a function previously performed by the ERP Science Board. I assure you that the Department of Fish and Game (Department) and our federal Implementing Agency partners for the ERP, the US Fish and Wildlife Service and NOAA's National Marine Fisheries Service, are continuing the same high standards of scientific review of ERP activities and will maintain the same transparent, public process practiced from the inception of the ERP. State authority to implement the ERP has been transferred to the Department and we will continue to coordinate and work with the CALFED Bay-Delta Program Office (CBDO) and Science Program and seek scientific advice from the ISB to implement the ERP.

The Lead Scientist Report delivered by Dr. Johnnie Moore at a joint meeting of the California Bay-Delta Authority (Authority) and the Bay-Delta Public Advisory Committee (BDPAC) on June 8, 2005 detailed A New Vision for CALFED Science in the Face of Changing Circumstances[1]. Dr. Moore reassessed the Science Program's role and the commitment to the science needs of the CALFED agencies and stakeholders. He recommended a major realignment of Science Program priorities and efforts and immediate implementation of eight major components and seven elements of a strategic plan for the new Science Program. The ERP implementing Agencies' approach to science review and advice to the program reflects these recommendations.

I. Selection of ERP Implementation Actions

Dr. Moore proposed changing the Proposal Solicitation Package (PSP) process to that of a focused annual peer reviewed, Directed Action Program. The Department took steps to implement this recommendation by preparing the directed action process discussed at BDPAC and other public meetings, and approved by the Authority[2, 3]. The

[1] http://www.calwater.ca.gov/CBDA/AgendaItems_6-8-05/CBDA_BDPAC_Joint_Meeting_6-8-2005-Agenda_Item_9_Lead_Scientist_Report.pdf
[2] http://calwater.ca.gov/CBDA/CBDAMeetingMaterials_11-10-05.shtml
[3] http://www.delta.dfg.ca.gov/erp/docs/grants_templates/DA%20Guidelines%20final%2011-08-05.pdf

Department provided a bridge to follow through with previous program commitments to conduct focused PSPs for Monitoring in 2004[4] and for Assisting Farmers in Integrating Agricultural Activities with Ecosystem Restoration - the 2005 PSP[5].

Both of these PSPs used a comprehensive process of administrative, technical, stakeholder, and science review that is the same process used in past ERP and Science Program PSPs, and employed the same pool of reviewers retained by UC Davis under contract with CBDO. All proposals, reviews, summaries of technical and selection panel recommendations, and ultimate selection of projects are posted on the ERP website and are available for public review and comment. Selections appear as an action item before the Authority; for example the October 12, 2006 meeting of the Authority. Projects routed through the directed action process undergo the same review process as projects selected from the PSP process. They also become action items before the Authority.

II. Science Advisors

The CALFED Science Program, with support of the ERP Implementing Agencies, followed through with Dr. Moore's recommendation to modify the existing science boards due to their high costs, inefficiencies, and slow responses. These were replaced with a more focused Independent Science Board and with a greater use of technical review panels that would form for short durations to address specific issues, then disband. Panels would be reconstituted with different areas of expertise to deal with different issues as needed. The ERP has used this panel approach in the past to obtain scientific and technical advice and review regarding north Delta floodway improvements, large-scale riverine habitat and channel restoration projects, and focused adaptive management plans. The ERP Implementing Agencies and other cooperating agencies have built upon this approach for the Science Integration Strategy for the Suisun Marsh planning effort.

The ERP Science Board was a highly influential and valuable asset that helped form the foundation of ERP implementation through its advice regarding conceptual models, performance measures, and monitoring. Its influence continues in the context of adaptive management integrated throughout the ERP and in teams such as the DRERIP Adaptive Management Planning Team (AMPT). It is interesting to note that some members of the ISB served on the ERP Science Board and some past members of the ERP Science Board currently serve on the AMPT and as scientific consultants to the DRMS and other efforts.

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[4] http://www.delta.dfg.ca.gov/erp/docs/2004grants/ERP_Monitoring_PSP_Document.pdf
[5] http://www.calwater.ca.gov/Programs/EcosystemRestoration/2005_Proposal/2005_ERP_PSP_Document.pdf

I acknowledge that with the many Bay-Delta planning activities currently underway we face significant challenges with regards to obtaining the scientific advice and review needed to ensure the scientific rigor and transparency in the ERP. The Delta Vision effort, the Delta Risk Management Strategy (DRMS), and the Delta Regional Ecosystem Restoration Implementation Plan (DRERIP) all compete for the same pool of expertise. Conservation planning efforts for the Delta region will result in an increased demand for independent scientific and technical expertise. We will look to the ISB to provide us advice on how the science needs of all the CALFED Bay-Delta Program activities and related planning and implementation activities can be met.

III. Science in the Process of ERP Work Planning

Early annual work plans for the ERP consisted of projects that were scheduled to be funded and initiated in a given year. The 2004 Program Assessment for Stage One of the ERP resulted in letters from the regulatory agencies that identified priority projects necessary to complete the milestones and other ROD commitments.. Staff identified a host of projects to achieve those goals that were later evaluated by the Implementing Agency Managers. The result was a list of "Priority Projects" to achieve the Stage One objectives and adhere to the ROD. The list of priority projects is based primarily on the needs of at-risk native species (particularly, pelagic and anadromous fishes) and on regulatory commitments while considering the best restoration science available to the agencies. The ERP Program overall is guided by the ERP Strategic Plan for Ecosystem Restoration.

Beginning in 2005, the ERP Implementing Agencies prepared Multi-Year Program Plans that described "priority projects" that would be implemented over the course of several years. Projects were scheduled on the basis of what was needed for regulatory compliance and to meet the species recovery goals. The intent was to establish a list of projects to be accomplished over time with the clear understanding that money was a limiting factor and that projects would be selected as fiscal reality permitted.

The ERP Work Plan, whether it is multi-year or annual plan (such as the Year 2007 plan) contains a list of "Priority Projects" that require both viable proposals and funding. General categories for projects and approximate costs are defined in the plan so that specific proposals may be developed and evaluated for their potential to accomplish parts of, or all of the objectives. As specific projects are solicited in a focused solicitation or proposed as a directed action, they would enter the same traditional course of evaluation and review as other projects funded by the CALFED Bay-Delta Program.

In summary, the processes described above for scientific, technical, administrative, and public review, as guided by Dr. Moore's recommendations, will ensure the scientific rigor and transparency sought by both the ISB and ERP Implementing Agencies.

Finally, I fully endorse your recommendation that our Year 7 draft program plan would be strengthened by a description of these scientific, technical, and public review process. Staff will address this before the plan becomes final.

If you would like further discussion of our ERP approach to science advice and transparency, please contact Ms. Bellory Fong at (916) 445-0076 or Dr. David Zezulak at (916) 445-3960, located at 830 S Street, Sacramento, California 95814-7023. They may assist you directly or can arrange a meeting with me if desired. Please let them know if we can be of any further assistance.

Sincerely,

L. Ryan Broddrick
Director