

DRAFT

**SUMMARY: NOVEMBER 18, 2021
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the December 16, 2021, meeting.

In accordance with Assembly Bill 361 (Government Code §11133), the meeting's proceedings were conducted entirely remotely.

All meeting materials, presentations, and comment letters are available at <https://deltacouncil.ca.gov/council-meetings>.

MEETING SUMMARY

1. WELCOME AND INTRODUCTIONS

Chair Susan Tatayon called the meeting to order at 9:00 AM, November 18, 2021.

2. ROLL CALL – ESTABLISH A QUORUM (WATER CODE §85210.5)

Roll call was taken, and a quorum was established. The following Councilmembers were present: Virginia Madueño, Maria Mehranian, Don Nottoli, Christy Smith, Susan Tatayon, and Daniel Zingale.

3. CONSENT CALENDAR

Motion: Offered by Zingale, second by Mehranian – Approve the Consent Calendar.

Vote: 6/0 - The motion was adopted.

The motion and vote are viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-11-18> minute 2:23

4. CHAIR'S REPORT (INFORMATION ITEM)

Chair Tatayon gave an overview of the November 16, 2021, kick-off meeting of the Stakeholder Advisory Group for phase two of the Delta Adapts Initiative. This was the first of a series of meetings for input on framing the development of the adaptation strategy. The chair also gave an overview the November 17, 2021, Environmental Justice Expert Group meeting. This group was created to receive advice and suggestions from community leaders in the development of the white paper being prepared by Council staff.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-11-18> minute 03:10.

5. PUBLIC COMMENT

There was no public comment.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-11-18> minute 5:38.

6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson gave an update on the proposed revision to the Council's Appeals Procedures for covered actions. The Council's Appeals Procedures were originally developed before the adoption of the Delta Plan and years before the first covered actions or appeals were submitted to the Council. The proposed revisions are designed to incorporate lessons learned and improve the process for all parties. Council staff anticipated releasing a draft version of the proposed amendments on our website on or around December 10 for a 60-day public comment period in advance of a Council workshop at the January 2022 meeting.

On October 28, the Central Valley Flood Protection Board submitted a certification of consistency for the American River Watershed Common Features, Sacramento East Levee Contract 3 Project. The Board finds that the proposed project is consistent with eight Delta Plan policies, while the remaining policies are not applicable. The project's public review period closed on November 29.

The Council submitted a letter to the Department of Water Resources on November 1, regarding the Initial Study/proposed Mitigated Negative Declaration for the Georgiana Slough Migratory Barrier Project. The project seeks to reduce the diversion of juvenile salmon from the Sacramento River into the interior and south Delta. The letter outlines applicable Delta Plan policies regarding invasive species and local land use and invites the Department of Water Resources to meet with the Council for early consultation.

Pearson welcomed three new staff members to the Council: Pat Kelly, senior environmental planner in the Regulatory Review Unit, Kim Vinayak, staff services manager specialist retired annuitant in the Human Resources Office, and a new Executive Fellow from the Capital Fellows Program, Chris Lier.

Pearson also announced three promotions within the Council. Cory Copeland has been promoted to Senior Environmental Scientist within the Performance Management unit. Julia Schmitz has been promoted to Staff Services Analyst in the

Council's Human Resources office. Lastly, Andy Voong has been promoted to IT Specialist.

The Outreach Highlights Report and the Active Projects List were provided to the Council in writing.

6a. Legal Update (Information Item)

There was no Legal Update.

6b. Legislative Update (Information Item)

There was no Legislative Update

The Executive Officer's Report is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-11-18> minute 5:50.

7. LEAD SCIENTIST'S REPORT (INFORMATION ITEM)

Delta Lead Scientist Dr. Laurel Larsen discussed two recently published papers by Segarra et al. and Hutton et al., reporting on work that the Council funded through the 2018 proposal solicitation to the Brander lab at Oregon State University. The studies investigate the impact of increased salinity levels in estuary waters on the toxicity of several pesticides that commonly pollute their waters. The researchers test how different salinity levels affect pesticides' toxicity in the water on two fish species found in the Bay-Delta. Their results reveal that salinity can influence the toxicity of these pesticides in estuary waters, but more work is needed to understand the extent and full mechanisms behind this influence.

Councilmembers discussed the types and origin of the pesticides that pollute waters in the Delta.

Dr. Larsen reminded everyone that the Delta Lead Scientist Ask Me Anything (AMA) series is ongoing, and Archives of all sessions are available for viewing at the Delta Stewardship Council's Instagram page. The last AMA of 2021 will be held on December 20 at 12 PM.

Delta Science Program staff plan to release the first full draft 2022-2026 Science Action Agenda (SAA) for public review in the coming weeks. The draft, which will be presented to the Council at its December meeting, will be available for public comment for two months. The 2022-2026 SAA has been developed with extensive input from Delta scientists, managers, and stakeholders. To learn more, please visit <https://scienceactionagenda.deltacouncil.ca.gov/> or email SAA@deltacouncil.ca.gov

Dr. Larsen gave an update on the Environmental Justice Brown Bag Series. The last webinar took place Wednesday, December 8th from 12-1PM where Dr. Raoul Lievanos of the University of Oregon spoke on climate justice related to sea level rise and flooding risk in Stockton. For more information on the series: <https://caseagrant.ucsd.edu/events/webinar-environmental-justice-reforms-in-government>.

The Delta Interagency Invasive Species Coordination (DIISC) Team hosted a virtual Delta Invasive Species symposium on December 15 from 9 AM-2:30 PM focused on early detection and rapid response (EDRR) to species invasions.

Dr. Larsen reviewed the By The Numbers report.

Councilmembers discussed the causation behind the water temperature rise in the Delta. The chair congratulated Rachael Klopfenstein and the Delta Science team on their hard work completing the SAA.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-11-18> minute 13:36.

8. WORKSHOP ON THE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED AMENDMENT OF CHAPTER 4 OF THE DELTA PLAN
(WORKSHOP)

The Council received an overview from staff of the proposed amendment to Chapter 4 of the Delta Plan, *Protect, Restore, and Enhance the Delta Ecosystem* (Ecosystem Amendment), and the California Environmental Quality Act Draft Program Environmental Impact Report for the Ecosystem Amendment (Draft PEIR). The Council then conducted a workshop to solicit oral comments on the Draft PEIR. The deadline for written comments on the Draft PEIR was November 30, 2021.

Councilmembers discussed the significance of the listed alternatives to the project proposed in the PEIR.

Public Comment

Brett Baker, Central Delta Water Agency, expressed concern that the restoration efforts might increase salinity intrusion, methylation of mercury, and conflicts with flood control. Baker commented that the placement of hatchery raised smelt in the Delta should be timed so that it doesn't interfere with water use needs. Baker also

noted that Delta levee funds shouldn't be utilized for restoration projects that don't directly mitigate flooding.

Osha Meserve, Local Agencies of the North Delta, made comments on the 2020 version of revisions and is concerned that some of her comments weren't addressed. She is also concerned that there isn't a clear connection between DLIS policy and the restoration suggestions. Meserve noted that Stone Lakes National Wildlife Refuge has been listed as a priority restoration area by the Council but is a part of the national refuge and shouldn't be a part of the EIR. Meserve is also concerned about the long-term maintenance of weeds, trespassing, access, and carbon capture issues around these restoration projects.

Councilmembers and staff discussed the proposed project's timeline. Public comment closes on November 30, 2021. The comments and the corresponding responses will be incorporated into the PEIR report. Council staff will present the final PEIR and Ecosystem Amendment at a Council meeting for possible approval in the Spring of 2022.

Matt Conover, Reclamation District 1002, noted his concern about the economic impacts that may result from the Delta Adapts recommendations. Conover is concerned that some of the agricultural lands that are slated to be seasonally flooded may leave farmers unable to adapt. Conover requested socio-economic impact reports and modeling.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-11-18> minute 33:58.

9. CARBON CAPTURE AND STORAGE IN THE DELTA (INFORMATION ITEM)

Campbell Ingram from the Sacramento-San Joaquin Delta Conservancy and George Peridas with the Lawrence Livermore National Laboratory provided a background for the Council on the emergence of Carbon Capture and Storage (CCS) technology and the possibility of the Delta as a site for CCS. Tom Zuckerman shared the perspectives of local landowners who might participate in these projects. Several future CCS projects may be covered actions under the Delta Plan.

Councilmembers discussed the range of outreach efforts, the impacts on water quality, environmental impacts, and how the communities have reacted in the past. Peridas elaborated that the carbon injections planned in the Delta would be well below the aquifers to avoid interacting with the water supply and above the deep

basement rock to buffer any increase in seismic activity. Peridas also reiterated that the permits for injections are very few in comparison to oil and gas and have a rigorous approval process that typically takes about two years.

Councilmembers also discussed the long-term implications for this method of carbon storage. Peridas elaborated that monitoring of the site is required by the EPA for 50 years and California requires it for 100 years after CO2 injections have ceased. The permitting process also requires site decommissioning plan as well as a remedial financial assurance requirement for any unforeseen circumstances.

Public Comment

Matt Conover, Little Manila Rising, commented that he is concerned that the worst-case scenario needs to be modeled. He is concerned about CO2 leaks spiking the PH in the Delta estuary. Conover appreciated the discussion prompted by the Councilmembers in the meeting. Conover would prefer the funding of proven biological solutions as opposed to engineered solutions. He also noted that this project will need monitoring for generations and industrial partnerships in the past have not prioritized the communities and the environment. Conover hopes that this local relationship could be different.

Osha Meserve, Local Agencies of the North Delta, is concerned about the transportation method to the injection site and what the net CO2 benefit would be after that transportation is accounted for. Meserve would like to see benefits to the local communities where the sites would be placed as well as in the communities where the emissions would be permitted to continue occurring.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-11-18> minute 1:31:40

10. PREPARATION FOR THE NEXT COUNCIL MEETING

The next Council meeting is on December 16, 2021, via webinar.

The meeting adjourned at 12:03 PM.

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