



Delta Stewardship Council

A CALIFORNIA STATE AGENCY

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MEMORANDUM

Date: November 10, 2022

To: Delta Stewardship Councilmembers

From: Jessica R. Pearson, Executive Officer

Subject: Upcoming Council Meeting – November 17, 2022

This month's meeting marks an important step towards finalizing amendments to the Delta Levees Investment Strategy (DLIS). As part of the Administrative Procedure Act (APA) rulemaking, the Council will conduct a public hearing on the proposed regulatory amendments to Section 5001 (Definitions) and Section 5012 (Prioritization of State Investments in Delta Levees and Risk Reduction; Delta Plan Policy RR P1) of Title 23 of the California Code of Regulations to implement the Delta Levees Investment Strategy, also known as DLIS. These proposed changes are based on new LiDAR data, analyzed in the Program Environmental Impact Report (PEIR Addendum) for the 2018 Delta Plan Amendments Program Environmental Impact Report and the Addendum to the PEIR, which was certified by the Council in August 2021.

This hearing provides an opportunity for the public to comment on these regulatory changes, after which the Council may direct staff to prepare written responses to comments and the Final Statement of Reasons to be considered for adoption at a future Council meeting before submitting the final rulemaking package to the Office of Administrative Law. The Council adopted the DLIS policy in August 2021 for purposes of rulemaking, and this hearing provides an opportunity for stakeholders to offer comments on how the proposed rulemaking implements the policy.

For decades, communities, conservation organizations, and public agencies have been stymied by barriers that slow or hinder beneficial restoration activities. In 2019, the California Landscape Stewardship Network and the Administration of Governor Gavin Newsom joined together to act and reduce or eliminate these barriers.

In October 2020, Governor Newsom elevated the need for restoration activities, directing state agencies through Executive Order to “implement actions to increase the pace and scale of environmental restoration and land management efforts by streamlining the State's process to approve and facilitate these projects.” This meeting will include a presentation of findings from the draft Ecosystem Restoration Progress Review paper prepared by the Delta Science Program. These findings set a baseline to track Delta Plan Chapter 4 restoration performance measures and inform adaptive management for future restoration efforts.

If I can answer any questions or provide any other information before the meeting, please contact me at (916) 445-4500 or jessica.pearson@deltacouncil.ca.gov.