



DRAFT

**SUMMARY AUGUST 24, 2023
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the August 24, 2023, meeting.

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

MEETING SUMMARY

1. WELCOME AND INTRODUCTIONS

Chair Virginia Madueño called the meeting to order at 9:00 AM on August 24, 2023, at the California Natural Resource Agency building at 715 P Street, Room 221 Sacramento, CA 95817 and at the teleconference location at 828 Seventh Street, Eureka, CA 95501 Humboldt.

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

Roll call was taken, and a quorum was established. The following councilmembers were present: Burgis, Damrell, Hueso, Lee, Zingale, and Madueño.

Councilmember Mehranian was absent.

3. PUBLIC COMMENT

Chair Madueño asked for public comment.

There was no public comment in Sacramento or Humboldt.

4. CONSENT CALENDAR (ACTION ITEM)

a. Adoption of July 27, 2023, Meeting Summary

Chair Madueño presented the agenda item for adopting the July 27, 2023, meeting summary.

Chair Madueño asked for public comment.

There was no public comment in Sacramento or Humbolt.

Motion (approve the consent calendar): offered by Councilmember Lee, seconded by Councilmember Burgis.

Vote: 6/0 - The motion was adopted (Burgis: Aye, Damrell: Aye, Hueso: Aye, Lee: Aye, Mehranian: Absent, Zingale: Aye, Madueño: Aye)

The agenda item is viewable on the linked agenda at <https://bit.ly/3t99u33>, minute 00:02:01.

5. CHAIR'S REPORT (INFORMATION ITEM)

Chair Madueño began with a highlight of last month's presentation on educational programming in the Delta from Department of Water Resources (DWR) staff. Chair Madueño followed with a summary of her attendance at the Stockton Rotary Meeting where she was approached by a teacher from San Joaquin County who was interested in education resources about the Delta. Chair Madueño connected this teacher to Council staff and reflected on the importance of Delta education programming heard at the July meeting from DWR staff. Chair Madueño discussed the decision to invite DWR staff back to answer questions from councilmembers and share more of their important work.

Chair Madueño outlined the process the Council will take to hire a new Delta Lead Scientist and expressed sadness about Dr. Larsen's early departure from the position. Councilmember Lee will join Chair Madueño and selected members of the Delta Independent Science Board on the interview panel.

Chair Madueño introduced and welcomed back the panel on Delta education programming.

a) CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR), DEVELOPING ENVIRONMENTAL LITERACY, TAKING ACTION (DELTA) EDUCATION PROGRAM

Lynn Takata, a Senior Environmental Scientist with the Delta Science Program, provided an overview of the previous month's presentation. Takata highlighted the development and execution of the curriculum, as well as the challenges the program currently faces. Takata closed and opened the discussion to questions from councilmembers.

Councilmember Lee and DWR staff discussed the pilot nature of the program and possible next steps for funding the program including applying for a budget change proposal or partnering with the Department of Education. Chair Madueño discussed her life experiences and conversations with Council staff about creating more diversity and knowledge within the Council. Chair Madueño emphasized the impact these kinds of education programs could have on low-income and communities of color, inspiring the next generation of scientists. Chair Madueño highlighted grant funding opportunities that prioritize opportunities for people of color, as well as opportunities within the traditional government to help establish this program for Delta communities. Kathy Shultz, Water Education Specialist with DWR, highlighted the California Environmental Education Interagency Network, a consortium of state agencies that do environmental education, and the opportunities for partnerships within that network for continuing Delta education. Shultz highlighted that within this network, a main challenge for many of these education programs is the current level of staff and resources.

Councilmember Burgis discussed the idea of sending a letter of support to the legislature for this program, as well as the importance education has on creating community relevance and social responsibility. Councilmember Burgis expressed the importance of lifting up this program for the future and potentially replicating it in her community of Contra Costa County.

Councilmember Zingale and DWR staff discussed the possible controversy and relevance of the climate crisis context in this work. Councilmember Zingale

inquired if the curriculum covered the historical inequities of water distribution and the treatment of Indigenous people within the state. Shultz discussed that the curriculum is beginning to address some of those topics and hopes that the program will continue to evolve. Shultz closed encouraging anyone looking for water education resources to contact her, she has a wide network across the state and is happy to connect folks to resources.

Chair Madueño asked for public comment.

There was no public comment in Sacramento or Humbolt.

The agenda item is viewable on the linked agenda at <https://bit.ly/3t99u33>, minute 00:03:10.

6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson began with an update on covered action certifications of consistency. Last month, Pearson reported the Solano Resource Conservation District submitted a Delta Plan certification of consistency for the Ulatis Creek Habitat Restoration Project. The project's 30-day review period expired on August 7 without appeal. Currently, there is one active covered action certification of consistency. The Department of Water Resources submitted a certification of consistency with the Delta Plan for the Central Valley Flood Protection Plan on July 31. The 30-day appeal period is now underway and will end on August 31.

Pearson next reviewed the comment letter the Council sent to DWR regarding the Little Egbert Multi-benefit project. The project seeks to manage the transition of the land on Little Egbert tract from agriculture to wetlands and riparian habitat in a manner that maximizes flood benefit and climate resilience and enhances ecosystem processes and recreational opportunities. The letter stated that the project appears to be a covered action and invited DWR to meet with the Council in early consultation on the project.

Pearson highlighted the current open tribal consultation period. The Council is seeking consultation with Tribes and tribal organizations on the development of the

Council's climate change adaptation strategy, Delta Adapts. This consultation period is open until August 31.

Pearson next announced the promotion of Dr. Dylan Chapple to Environmental Program Manager I to the Adaptive Management Unit.

Pearson also reviewed the Outreach Highlights Report and Active Projects List before passing the item to Legislative and Policy Advisor Brandon Chapin and Executive Fellow Viet-Long Nguyen.

a. Legal Update

No legal update

b. Legislative Update (Action Item)

Legislative and Policy Advisor Brandon Chapin provided an update on the preliminary bonds in the legislature that are related to the Delta and Delta management. Chapin provided an overview of four bonds and outlined the components of each bond that are relevant to the Delta including funding for levees, flood protection, local assistance, and special projects. All four bills are currently in policy committees while further negotiations take place. Chapin next highlighted an initiative led by the Delta Conservancy, which Council staff are involved with, to bring state agency representatives together to discuss Delta funding needs over the next ten years. An overview of the list of priority projects and funding put together by this group was presented at the latest Delta Interagency Implementation Committee Meeting by Campbell Ingram, Executive Officer of the Delta Conservancy.

Councilmember Hueso discussed the process the bonds will go through in the legislature, as well as budget, and bond predictions for the following years. Chair Madueño and Councilmember Hueso discussed what the Council can do as an agency to strengthen the case for the Delta and what it means to have four different bonds proposing funds for the Delta. Chapin highlighted that the Council, the Delta Conservancy, and the Delta Protection Commission are organizing a legislative Delta tour, Councilmember Hueso and Chair Madueño echoed statewide legislator interest in touring the Delta.

Next, Executive Fellow Viet-Long Nguyen provided an overview of his experience working at the Council over the past year, including projects he was given the opportunity to work on and key takeaways from his time at the Council. Nguyen thanked his mentors, Brandon Chapin and Amanda Bohl, as well as Chair Madueño, Jessica Pearson, Council staff, and the other fellows in this program.

Chair Madueño, Jessica Pearson, and Councilmember Zingale thanked Nguyen for his excellent work and wished him luck in his future. Councilmember Zingale and Nguyen discussed areas where the agency and the board could improve the visibility of the important work done at the Council.

Chair Madueño and Chapin discussed the status of past and active tribal consultation responses.

Chair Madueño asked for public comment.

There was no public comment in Sacramento or Humbolt.

The item is viewable on the linked agenda at <https://bit.ly/3t99u33>, minute 00:26:30

7. LEAD SCIENTIST REPORT (INFORMATION ITEM)

Dr. Laurel Larsen began with her monthly article highlight:

Lee, C. Y.; Smith, A. G.; Hassrick, J. L.; Kalmbach, A. J.; Sabal, M. C.; Cox, D. M., Grimaldo, L. F.; and Schultz, A. (2023). Flow Augmentations Modify an Estuarine Prey Field. San Francisco Estuary and Watershed Science, 21(2).

<http://dx.doi.org/10.15447/sfews.2023v21iss2art1> R

Larsen summarized the main points of the article using a visual aid. This article addressed the question of how flow augmentation might improve habitat for Delta Smelt. Namely, it compared monitoring surveys from two years with the X2 flow

augmentation (2017, 2019) and without augmentation (2018, 2020) to determine whether increased freshwater flow enhanced the food supply for Delta Smelt. The study is particularly relevant to a current peer review that the Delta Science Program is conducting at the request of the U.S. Bureau of Reclamation. The review assesses the Fish and Aquatic Effects Analysis for proposed changes to the long-term operations of the Central Valley Project. This Aquatic Effects Analysis will inform a Biological Assessment, which the U.S. Fish and Wildlife Service and National Marine Fisheries Service will evaluate to determine whether the modifications to the long-term operations will jeopardize listed species like the Delta smelt and are acceptable under federal law.

From their comparisons of augmented and reference flow years, the research team found that increased freshwater flow was associated with higher abundance of the low-salinity-preferring *Pseudodiaptomus forbesi*, a copepod that is a preferred prey species of Delta Smelt, whereas species that are associated with high salinities were of lower abundance. However, it is challenging to differentiate whether this outcome was caused by the flow augmentation action or by wetter conditions in general, as the reference years used in the comparison were years too dry for a regulated flow action. Further work must also be done to understand the response of Delta Smelt to improved habitat quality and food supply during the augmented-flow years.

Dr. Larsen followed with a report on Delta Science Program activities. Dr. Larsen provided an overview of the process to fill the Delta Independent Science Board vacancy, with interviews happening in September, Dr. Larsen plans to bring a recommendation to the Council at the October Council Meeting. Dr. Larsen highlighted the Salinity Management Workshop Series and provided an overview and key takeaways from the first workgroup meeting and how the information collected at these meetings will be used to inform future work. Dr. Larsen provided an update on the Independent Peer Review of the State Water Project- Delivery Capability Report (DCR). The review is occurring in two parts. The first part of this peer review focused on whether the historical hydrologic data used in the model should be adjusted to account for non-stationarity due to a changing climate. The second part of this peer review focuses on risk-informed climate change scenarios

to model future performance of the SWP system. A group of three subject matter experts completed the first part of the review in July, and the same group of experts will begin the second part in late August, with final reports expected in October. The general conclusion from the reviewers for the first part of the review is that the new method, which accounts for non-stationarity, is an improvement over the previous method. Reviewers suggested that the analyses could be presented more clearly to make a stronger case for changing the methods, and they offered several specific suggestions for further improvements to make in future issues of the DCR.

Dr. Larsen gave an update on an initiative focused on the development of collaborative modeling resources for the science community to facilitate community-engaged scenario-based planning and assessment for water resources and management under a changing climate that the science program was co-developing last year. Dr. Larsen highlighted funds the state legislature allocated in late 2022 to the UC Office of the President to stimulate research toward California's climate resilience goals. Dr. Larsen partnered with representatives from UC Berkeley and National Oceanic and Atmospheric Administration and put together a project proposal focused on how different strategies for water operations would impact water allocations within the Sacramento San Joaquin River system under different climate change projections, and how those water allocations would then impact ecosystems and human conditions. This project proposal was funded in an announcement from the UC Office of the President yesterday. Dr. Larsen highlighted that this project would produce information that will be useful to the Council's ongoing adaptation planning and is a collaborative effort that will work with public agencies and universities, community groups, and tribes. Dr. Larsen highlighted next steps for the project and how the Council will continue to stay involved moving forward.

Dr. Larsen next announced she will be stepping down from her role as Delta Lead Scientist on November 30 of this year to take a leadership role at an international university.

Councilmember Burgis and Dr. Larsen discussed the water storage capacity in Southern California in the wake of Hurricane Hilary, the changing global weather

patterns, and the need to adapt to the changing climate. Councilmember Burgis thanked Dr. Larsen for her work in anticipation of her departure from the Council. Councilmember Hueso and Dr. Larsen discussed findings and analysis of aquifer recharge across the state.

Dr. Larsen closed with a brief discussion on the “By the Numbers” report.

Chair Madueño asked for public comment.

There was no public comment in Sacramento or Humbolt.

The item is viewable on the linked agenda at <https://bit.ly/3t99u33>, minute 00:59:07.

8. DELTA WINTER 2023 FLOOD DAMAGE ASSESSMENT (INFORMATION ITEM)

Erin Mullin, a Supervising Engineer with the Council, provided context for the panel discussing relevant language from the Delta Reform Act and the importance of emergency preparedness. Mullin introduced the panel: Gil Cosio for MBK Engineers, and Maksim Khashchuk and Bryan Brock with DWR.

Gil Cosio, a Delta Levee Engineer with MBK Engineers, gave an overview of the two 2022-2023 emergency storm events. Cosio highlighted the storage available for holding flood water during the storm events, and the operation procedures that DWR followed to improve communication between state agencies and local communities during the weather events. Cosio next outlined the reservoir storage at the beginning of the year and following each storm event. Cosio reviewed the annual conditions including snowpack and precipitation for both the Sacramento and San Joaquin Valley. Cosio next outlined the history of standardized emergency management system (SEMS) and the operational structure of the SEMS in Delta Communities. Cosio explained how the SEMS operated during the winter storm event and the complications of prolonged power outages. Cosio highlighted the Emergency Operation Plans that outline what to do during a flood event. Cosio concluded with an overview of the reservoir storage as the 2023-2024 flood season approaches.

Maksim Khashchuk, DWR Regional Flood Preparedness Unit, gave an overview of the State Flood Operations Center, which coordinates statewide flood emergency preparedness and responses, supports and supplements local response efforts, and coordinates federal assistance. Khashchuk outlined the atmospheric rivers, precipitation numbers, and snow melt numbers for the 2023 weather events. Khashchuk followed with a review of DWR's flood response including monitoring procedures, the deployment of flood fight specialists to the San Joaquin system, and interagency coordination. Additionally, Khashchuk outlined the direct assistance and coordination delivered to the Delta Region during the weather events. Khashchuk highlighted the Delta Flood Emergency Response Grant Program including the geographic scope, focus, applicant criteria, and eligible activities funded by the grant. Khashchuk closed with an overview of other DWR Delta-focused facilities, management plans, and working groups aimed at flood prevention and protection. Bryan Brock with DWR next discussed the Delta Levees Program. Brock highlighted the investment DWR has put into the Delta levees and reviewed the two levee breaches this past winter. Brock followed with an overview of the Delta Levees Maintenance Subventions program, the Delta Levees Special Flood Control Projects Program, and the funding available during emergency response. Mullin closed the panel by providing further context about levee failure, maintenance, and the importance of emergency response.

Councilmember Lee discussed her experience with emergency response and commended DWR for the great work done at the State Operations Center, the presence of DWR, and their involvement in countless emergency response events, and suggested councilmembers take a trip to visit the facility. Councilmember Burgis and Khashchuk discussed the opportunities to educate homeowners about the importance of drainage and flood prevention and the scope of projects funded by the Delta Flood Emergency Response Grant Program. Cosio discussed a state-funded small community grants program to study the vulnerability of small communities that highlighted the opportunity for education about reclamation and levee districts. Chair Madueño thanked the panelists, echoed Councilmember Lee's suggestion to tour the State Operations Center, and expressed interest in having further conversations about the emergency plan and engagement and outreach to

communities of color. Councilmember Lee expressed interest in having a further conversation about access and functional needs during emergencies.

Chair Madueño asked for public comment.

There was no public comment in Sacramento or Humbolt.

The item is viewable on the linked agenda at <https://bit.ly/3t99u33>, minute 01:26:45.

9. KNIGHTSEN WETLAND RESTORATION AND FLOOD PROTECTION PROJECT (INFORMATION ITEM)

Jeff Henderson, the Deputy Executive Officer for Planning with the Council, began the panel by providing an overview of the California Environmental Quality Act (CEQA) Statutory Exemption for Restoration Projects (SERP). Pete McHugh with the California Department of Fish and Wildlife (CDFW) reviewed the purpose of the “Cutting the Green Tape” initiative and followed with an overview of the restoration permitting programs. McHugh provided an overview of the specific requirements a project must meet to qualify for the newly established CEQA exemption, SERP, as well as the process each project goes through to receive approval and the agencies' responsibilities. McHugh added special considerations for projects in the Legal Delta and where agencies and the public can find the information for all SERP projects on their website. McHugh highlighted SERP activities to date and reflected on the status of approved projects, how the process has evolved, and the savings and efficiencies created by this exemption. Henderson provided further context on the CEQA exemption and covered actions before transitioning to Abby Fateman, with the East Contra Costa County Habitat Conservancy. Pearson highlighted the letter of support the Knighten Wetland Restoration and Flood Protection project received from the Delta County Coalition and her excitement to learn how this project gained local support.

Councilmember Bugis disclosed she is the Chair of the East Contra Costa County Habitat Conservancy and a member of the Delta County Coalition.

Abby Fateman presented the background of the Knightsen Wetland Restoration Project, including information about the project team, the project overview, and a geographic orientation of the project site. Fateman reviewed the project purpose and timeline, as well as an overview of the studies and assessments to highlight the rigorous scientific method in developing this project. Fateman provided an overview of the local and regional community engagement done for the project, the current status of projects, and the design elements of the projects. Fateman discussed the process of receiving a letter of support from the Delta County Coalition.

Councilmember Burgis added further context to the drafting of the letter of support. Fateman closed with an outline of the next steps for the project. Henderson summarized how SERP projects are reviewed by Council staff under covered action criteria, and highlighted that this project is not a covered action.

Councilmember Burgis expressed her excitement and appreciation about this process and the savings of money, resources, and time to prioritize habitat restoration projects. Councilmember Zingale, and Fateman discussed the long term ecological benefits of the project and the reporting measures to account for these benefits. Councilmember Lee and Fateman discussed public access to the project area and the utility road going through the project area. Councilmember Lee, Councilmember Burgis, and Fateman discussed the community education around the project and any opposition to the project. Chair Madueño commended the project.

Chair Madueño asked for public comment.

There was no public comment in Sacramento or Humbolt.

The item is viewable on the linked agenda at <https://bit.ly/3t99u33>, minute 02:22:28.

10. PREPARATION FOR THE NEXT COUNCIL MEETING

The next Council meeting will take place on September 28 and 29. Please refer to the posted meeting notice 10 days before the meeting for further information or updates.

The meeting adjourned at 12:09 PM.

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