



DRAFT

For Review and Adoption by the Council at the September 24, 2020 Meeting

DELTA STEWARDSHIP COUNCIL

Thursday, August 27, 2020

In accordance with the Governor's Executive Order N-25-20 issued on March 12, 2020, and the Governor's Executive Order N-29-20 issued on March 17, 2020, 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 Tatayon called the meeting to order at 9:01 AM, August 27, 2020.

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

Roll call was taken, and a quorum was established. The following Councilmembers were present: Frank Damrell, Mike Gatto, Daniel Zingale, Maria Mehranian, and Susan Tatayon.

Councilmember Oscar Villegas arrived during the Closed Session.

3. CLOSED EXECUTIVE SESSION: LITIGATION (NOT OPEN TO THE PUBLIC) (ACTION ITEM)

Chair Tatayon announced there was nothing to report from Closed Session.

4. CONTINUE OPEN SESSION

5. ROLL CALL – RE-ESTABLISH A QUORUM (WATER CODE §85210.5)

Roll call was taken after Closed Session, and a quorum was re-established. The following councilmembers were present: Frank Damrell, Mike Gatto, Daniel Zingale, Maria Mehranian, and Susan Tatayon.

Councilmember Oscar Villegas joined open session during the Chair's Report.

6. CONSENT CALENDAR (ACTION ITEM)

6A. ADOPTION OF JULY 23, 2020 MEETING SUMMARY

6B. APPROVAL OF A CONTRACT WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS

Motion: Offered by Gatto, second by Damrell – Approve the Consent Calendar items.

Vote: 5/0 – Damrell, Gatto, Mehranian, Zingale, and Tatayon. 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=2020-08-27> minute 00:04:34.

7. CHAIR'S REPORT (INFORMATION ITEM)

Chair Tatayon shared gratitude for former Vice Chair Randy Fiorini's service. She was thankful for his contribution as a founding member of the Council and over ten years of leadership. Chair Tatayon also announced she participated in the August 13 and 14 Delta Independent Science Board (Delta ISB) meeting. At the meeting, the Delta ISB welcomed six new members, gave an overview of their review process, and heard remarks from the five out-going members and former Delta Lead Scientist Dr. John Callaway.

The Chair's Report is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2020-08-27> minute 00:05:22.

8. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Pearson reminded the public that the Council's physical office is closed. However, Council staff is working remotely to support physical distancing efforts. The public should contact hello@deltacouncil.ca.gov to be directed to the appropriate staff person for assistance. Additionally, the Council has changed its public meeting formats to be fully remote for the duration of the public health emergency.

Pearson informed the Council and public that the California Supreme Court declined a petition for review of the April Appellate Court decision on the Delta Plan litigation. Pearson directed the Council and the public to the Council's news release on the decision at: <https://deltacouncil.ca.gov/pdf/news-release/2020-08-12-supreme-court-upholds-delta-plan-affirms-council-authority-for-sustainable-management-of-the-delta.pdf>.

The Council-sponsored, biennial, Bay-Delta Science Conference, usually held in Sacramento at the Convention Center, will be held virtually this year from April 6-9, 2021.

The Council sent two comment letters regarding active projects during the past month:

- Department of Water Resources and Central Valley Flood Protection Board regarding portions of the American River Watershed Common Features flood control program.
 - o Regarding the River Mile 55.2 Left Bank Protection Project.
 - o Regarding the Sacramento River East Levee Contract 2 program.

The following certification of consistency was submitted in the past month:

- Department of Water Resources submitted a certification of consistency for the Wings Landing Tidal Habitat Restoration Project. The public comment period opened on August 17 and closes on September 19.

Lastly, the Outreach Highlights report and Active Projects List were available in the Council binders and on the Council's website.

8a. LEGAL UPDATE (INFORMATION ITEM)

Chief Counsel Bethany Pane provided a written Legal Update for the meeting.

8b. LEGISLATIVE UPDATE (ACTION ITEM)

Legislative and Policy Advisor Ryan Stanbra provided a written legislative report, summarizing legislative bills currently being tracked by the Council.

No action was taken during this agenda item.

Councilmembers expressed their appreciation for Pearson and former Vice Chair Fiorini.

The Executive Officer's Report is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2020-08-27> minute 00:10:11.

9. 2022-2026 SCIENCE ACTION AGENDA UPDATE (INFORMATION ITEM)

Environmental Program Manager Henry DeBey, and Senior Environmental Scientist Rachael Klopfenstein, provided a presentation on the development of the 2022-2026 Science Action Agenda (SAA). DeBey provided an overview of the SAA's purpose. Klopfenstein provided details about the update process, noting that one of the first completed tasks was gathering management questions from managers, scientists, stakeholders, and the public using an online survey. DeBey and Klopfenstein also presented and gathered input on the management questions at the July Delta Plan Interagency Implementation Committee meeting.

Chair Tatayon asked if DeBey and Klopfenstein could provide examples of the management questions. DeBey stated that the questions fall within eight management themes, such as water quality monitoring, flood management, and land use management, among others. Klopfenstein added that the questions vary from broad to very specific.

The 2022-2026 Science Action Agenda Update is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2020-08-27> minute 00:24:18.

10. APPROVAL OF A FEDERAL COOPERATIVE AGREEMENT WITH THE U.S. BUREAU OF RECLAMATION (ACTION ITEM)

Deputy Executive Officer for Science Louise Conrad and Senior Environmental Scientist Dylan Stern provided a presentation on a Federal Cooperative Agreement with the U.S. Bureau of Reclamation for the 2020 Delta Science Proposal Solicitation (solicitation). Conrad stressed the importance of consistent funding opportunities for scientific research, including collaborative funding from other federal and state agency partners. Stern provided background on the previous solicitation, the process for the current solicitation, and the request before the Council for consideration.

Motion: Offered by Villegas, second by Gatto – Approve the cooperative agreement with the U.S. Bureau of Reclamation for up to \$3,500,000 and extending from September 2020 to September 30, 2025.

Vote: 6/0 – Damrell, Gatto, Mehranian, Zingale, Villegas, and Tatayon. The motion was adopted.

The motion and vote is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2020-08-27> minute 00:52:55.

11. WATER USE EFFICIENCY STANDARDS AND REPORTING REQUIREMENTS FOR AGRICULTURAL USE: MAKING CONSERVATION A WAY OF LIFE (INFORMATION ITEM)

Deputy Executive Officer for Planning and Performance Jeff Henderson, Supervising Senior Environmental Scientist, State Water Resources Control Board, Charlotte Ely, and Senior Water Resources Engineer Anthony Navasero, provided a presentation on water use efficiency standards and reporting requirements in California. Specifically, the implementation of Assembly Bill (AB) 1668 and Senate Bill (SB) 606, and the bills' relation to the Delta Plan.

Ely provided details on conservation milestones leading up to the approval of AB 1668 and SB 606. Ely also provided an overview of water use in California from 1960-2015, development of a framework for water use efficiency standards and reporting requirements based on AB 1668 and SB 606 (circa 2018 – 2027), and implementation impacts. Navasero presented a graphic depicting the framework's relation to the Delta Plan.

Councilmembers and staff discussed how less water use impacts the ability to recycle water, the process for identifying regions that are successfully implementing water use

efficiency plans, and how to account for the impacts on water use as a result of these measures.

The Agenda Item 11 update is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2020-08-27> minute 00:54:23.

12. DELTA CONVEYANCE UPDATE (INFORMATION ITEM)

Environmental Program Manager for Delta Conveyance, Department of Water Resources (DWR) Carrie Buckman, and Executive Director, Delta Conveyance Design and Construction Authority Kathryn Mallon, provided an update on the Delta Conveyance Project (Project). Buckman provided details on the environmental planning process, the recently published scoping report, the beginning stages of the technical analysis, and an updated project schedule. Mallon provided details on how stakeholder engagement committee feedback has impacted the Project. Mallon stated that the committee reviewed the engineering plan for two corridor options and suggested changes to barging requirements, ways to minimize the impact to agricultural land, how to ensure the restoration of land post-construction, logistical changes to reduce traffic.

Public Comment:

- Brandon Dawson, The Sierra Club: Dawson shared concerns about the Project's harm to the environment and DWR's lack of consideration for alternative projects.
- Osha Meserve, Local Agencies of the North Delta: Meserve stated that stakeholders are not given the opportunity to comment on the intake locations and would like the Council to make early consultation on the Project a public process.

The Delta Conveyance update is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2020-08-27> minute 01:28:29.

13. PUBLIC COMMENT

There was no additional public comment.

14. PREPARATION FOR NEXT COUNCIL MEETING

The next Council meeting is September 24, 2020, and will be conducted remotely.

The meeting adjourned at 11:43 AM.

ALL MEETING MATERIALS, PRESENTATIONS, AND COMMENT LETTERS ARE AVAILABLE AT [HTTPS://DELTACOUNCIL.CA.GOV/COUNCIL-MEETINGS.](https://deltacouncil.ca.gov/council-meetings)