



DRAFT

**SUMMARY: JANUARY 27, 2022
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the February 24, 2022, 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, January 27, 2022.

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.

Councilmember Nottoli arrived during item 4, Chair's Report.

3. CONSENT CALENDAR

Motion: Offered by Mehranian, second by Zingale – 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=2022-01-27> minute 1:39

4. CHAIR'S REPORT (INFORMATION ITEM)

Chair Tatayon congratulated Councilmember Nottoli on his nomination as chair of the Sacramento County Board of Supervisors. Councilmember Nottoli congratulated Councilmember Madueño on her confirmation hearing by the Senate Rules Committee.

Public Comment

Diedre Des Jardins commented that the DPIIC Restoration Subcommittee Meeting should consider including native Delta tribes in their discussions.

The motion and vote are viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-01-27> minute 03:31.

5. PUBLIC COMMENT

Dierdre Des Jardins, California Water Research, commented that during the summer of 2021, attorneys from the California Natural Resources Agency (CNRA) released an opinion that Delta Independent Science Board (Delta ISB) members couldn't be paid as independent consultants. The opinion was not formally transmitted to councilmembers, and it wasn't reviewed as an agenda item at a Delta Stewardship Council meeting. Des Jardins noted that this decision-making process was not transparent. Des Jardins commented that she would be following up with a written letter.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-01-27> minute 6:00.

6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson announced that the Senate Rules Committee unanimously recommended the confirmation of Virginia Madueño to the Council. A confirmation vote by the full Senate will take place in the coming months.

Due to improved conditions, the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation withdrew their application to the State Water Resources Control Board for a Temporary Urgency Change Petition from February 1 through April 2022. The petition proposed modifying water quality requirements so that the State Water Project and the Central Valley Project could release less water into the Delta through April 2022 to conserve limited stored water in Shasta, Oroville, and Folsom reservoirs. DWR also announced an increase in the State Water Project allocation to fifteen percent of requested supplies for 2022.

The Governor released his 2022-2023 Proposed Budget in January. The budget proposes \$18.5 million in funding over three years to support DWR's Delta Flood Emergency Preparedness programs, including training, exercises, and levee repairs.

The program also includes funding local agencies in the Delta to assist with emergency response.

CNRA released a progress report on how agencies are meeting the goals outlined in the Governor's Water Resilience Portfolio, including a few of the Council's activities that align with portfolio actions, such as the Delta Adapts climate change vulnerability assessment.

Pearson gave an overview of the staff's proposal to revise the Council's Appeals and Procedures for covered actions. Council staff released a draft version of the proposed amendments on the Council's website on December 10, 2021, for a 90-day public comment period ending on March 7, 2022. Interested persons may view the proposed amendments on our website and submit comments to procedures@deltacouncil.ca.gov.

On December 30, 2021, DWR submitted a certification of consistency for the remanded portions of the Lookout Slough Tidal Habitat Restoration and Flood Improvement Project. The Council considered four appeals to the project's certification of consistency in the summer of 2021 and remanded the project back to DWR for reconsideration of consistency for the Delta Plan policies G P1(b)(3), Best Available Science, and DP P2, Respect Local Land Use. The Council denied the appeals related to other Delta Plan policies. In its December filing, DWR finds that the proposed project is consistent with the two remanded Delta Plan policies. The certification's public review period closes on January 31, 2022.

Pearson welcomed Michelle Mendonca as a new Office Technician in the Business Services unit and Elishabeh Pulliam-Tate in the Delta Science Program's Science Communication, Synthesis, and Decision-Support unit as a 2022 California Sea Grant State Fellow.

The Outreach Highlights Report, the Active Projects List, and the Quarterly Contract Report 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

6c. 2021 Delta Stewardship Council Annual Report (Information Item)

Pearson reviewed a few of the Council's 2021 accomplishments: completion of the Delta Adapts climate change vulnerability assessment for the Delta; the release of

the Ecosystem Amendment's Draft Program Environmental Impact Report for public review; updating the Delta Levees Investment Strategy and the initiation of rulemaking, and the Delta Plan Interagency Implementation Committee endorsed the creation of an Ecosystem Restoration Subcommittee to support the State's restoration goals for the Delta.

Assistant Deputy Executive Officer for Communications Abbott Dutton and Information Officer Brittany Young presented the Council's 2021 Annual Report: *Building Resilience Amid Rapid Change*. To view the full report, visit <https://www.deltacouncil.ca.gov/pdf/2021-annual-report.pdf>.

Vice-Chair Madueño and Dutton discussed how themes and content are chosen for the annual report and the possibility of a quarterly report and other intermittent updates on the Council's accomplishments.

Councilmember Mehranian noted that the annual report is an important tool for sharing how the Council leads the charge for resilience in the Delta.

6d. Environmental Justice Issue Paper Update (Information Item)

Special Assistant for Planning and Science Amanda Bohl provided an update on the Environmental Justice Issue Paper. The issue paper seeks to inform the Council's potential future actions to address environmental justice and better serve disadvantaged communities in pursuit of the coequal goals.

Councilmember Zingale and Bohl discussed the themes of the public comments that emerged from the community engagement and if there was a comparison of verbal and written comments.

Vice-Chair Madueño and Bohl discussed the leadership selection in the expert group and the organization selection for the interviewees.

6e. San Francisco Bay Conservation and Development Commission Bay Adapt Letter (Action Item)

In support of the San Francisco Bay Conservation and Development Commission's (BCDC) Bay Adapt initiative, staff drafted a letter to BCDC for Council review and approval. The Council's Deputy Executive Officer for Planning and Performance, Jeff Henderson, and BCDC Executive Director Larry Goldzband, provided an overview of the initiative and support letter.

Motion: Offered by Smith, second by Mehranian – Approve the San Francisco Bay Conservation and Development Commission Bay Adapt Letter

Vote: 7/0 - 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=2022-01-27> minute 53:51.

The Executive Officer's Report is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-01-27> minute 9:34.

7. LEAD SCIENTIST'S REPORT (INFORMATION ITEM)

Delta Lead Scientist Dr. Laurel Larsen announced that over the next few months, the article spotlights in the Lead Scientist's Report would feature previous recipients of the Delta Science Fellowship to showcase the findings of their work. This month's articles highlight results from three Delta Science fellows who are investigating how the characteristics of the physical environment (e.g., temperature and oxygen levels) impact the growth rate, size, and survival of three native fish species of concern: the Longfin smelt, Delta smelt, and Chinook salmon. Their findings will help inform methods used in sustaining captive populations and help anticipate how wild populations will likely respond to warming.

The Delta Science Program circulated the draft 2022-2026 Science Action Agenda (SAA) for public review in mid-November. In addition to sharing the draft via public listservs, staff carried out targeted outreach to collaborative venues and sought feedback from the Delta ISB. Delta Science Program staff is in the process of reviewing input from the public review period, which closed on January 21, 2022. Input from the review period will be considered when revising the final SAA, anticipated by Spring 2022. To learn more, please visit <https://scienceactionagenda.deltacouncil.ca.gov> or email SAA@deltacouncil.ca.gov

Dr. Larsen gave an overview of the Delta Interagency Invasive Species Coordination (DIISC) Team Symposium held on December 15, 2021. To view the recording, visit <https://www.youtube.com/watch?v=ryxcdCX4Nuo>.

The two-day Adapting Restoration for a Changing Climate Symposium will take place on February 2-3, 2022. The symposium will explore how restoration projects integrate immediate and long-term climate change considerations into their planning and implementation in the San Francisco Bay-Delta and beyond.

Dr. Larsen gave an update on the Delta Science Tracker. This tool is under development by the Delta Science Program staff, and the pilot website is currently under review. The public release of the tool is tentatively set for April 2022.

The social science integration efforts at the Council are now featured on the new social science webpage (<https://deltacouncil.ca.gov/social-science>). The Bay-Delta

Social Science Community of Practice (CoP) is highlighted and has its own webpage (<https://deltacouncil.ca.gov/bay-delta-social-science-community-of-practice>). The CoP held a steering committee meeting on January 18, 2022. The steering committee also set goals for convening the network in 2022 and discussed data synthesis or new research efforts the community members may initiate in the upcoming year.

Dr. Larsen gave an overview of the previous Delta Lead Scientist Ask Me Anything presentation. Archives of all sessions are available for viewing at the Council's Instagram page (@deltastewardshipcouncil).

The Delta Science Program and California Sea Grant are releasing a request for applications for the 2022 class of Delta Science Fellows at the end of January 2022. Applications are due in April 2022. Awards will be announced in June, and fellows will begin work in August/September 2022.

Dr. Larsen reviewed the By the Numbers report.

Public Comment

Deirdre Des Jardins, California Water Research, inquired if the previous pelagic organism decline research influenced Levi Lewis' research findings. Dr. Larsen responded to the comment and elaborated on the overlap of the two research projects. She also noted that the SAA highlights the need for more research on these complex and interconnected systems to find the threshold effects on individual species.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-01-27> minute 1:05:39.

8. DELTA WATERMASTER UPDATE (INFORMATION ITEM)

The Delta Watermaster, Michael George, gave an overview of the current water right curtailment and reporting orders in the Delta in response to the current drought. He also discussed the use of consistent data that enables the implementation of the Delta Alternative Compliance Plan (meeting the requirements of the Water Board's diversion measurement regulations).

Councilmembers thanked George for his presentation and congratulated him on the Delta Dry-year Response Pilot Program (DDRPP), which had already received 30 applications. George noted his excitement to have more accurate data and a

deeper understanding that will result from this program and elaborated that the data collected through this program will be available to the public.

Vice-Chair Madueño and George discussed the outreach efforts that preceded the launch of the DDRPP.

Public Comment

Deirdre Des Jardins, California Water Research, commended George for his work and presentation. Des Jardins noted that she had concerns that DWR couldn't answer a forecasting question at the January 26, 2022, CALFED Operations meeting. She was also concerned about the information DWR is using for other forecast models.

George responded, stating that the question was asked in the wrong forum, and it wasn't surprising that the participants on that call weren't familiar with that information.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-01-27> minute 1:32:30.

9. DELTA CONVEYANCE UPDATE (INFORMATION ITEM)

Chair Tatayon recused herself from this item, and Vice-Chair Madueño presided over the remainder of the meeting.

Staff from DWR and the Delta Conveyance Design and Construction Authority (DCDCA) provided the Council with an update on the Delta Conveyance Project's (DCP) progress.

DCDCA Interim Executive Director Graham Bradner summarized the three alignments under consideration for the DCP: Central, Eastern, and Bethany Reservoir Alternative.

Councilmember Nottoli and Bradner discussed the average depth of the tunnel and the construction and maintenance of the service shafts. Bradner also elaborated on the potential for flooding around the Twin Cities service shaft sites.

Councilmember Nottoli also highlighted that the levees south of Freeport need maintenance, and they should be addressed regardless of the status of the DCP.

DWR Environmental Program Manager for Delta Conveyance Carrie Buckman presented on the Bethany Alternative, the California Environmental Quality Act proposed project. Buckman also reviewed the DCP schedule and the progress made in 2021.

Vice-Chair Madueño, Bradner, and Buckman discussed the efforts of in-person and virtual public engagement.

Public Comment

Deirdre Des Jardins, California Sport Fishing Protection Alliance board member, commented that the DCDCA stakeholder engagement meetings had unequal participation. Des Jardins also noted concern about the speed of the intakes at 3,000 cubic feet per second (cfs) and the potential negative impacts on the salmon population. She requested that DWR analyze a lower intake of 1,500 cfs and noted that this alternative had not been evaluated.

Osha Meserve, Local Agencies for the North Delta, noted concern from the local stakeholders around the intakes and their long-term impacts on the Delta. Meserve commented that the DCP stands in contrast to the other state restoration efforts in the region. Meserve also noted that she had asked to be included in the early consultation process with the applicants but was denied. In closing, Meserve noted that while virtual meetings are beneficial for some, the internet access in the Delta is intermittent, making access difficult for the Delta community.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-01-27> minute 2:28:32

10. PREPARATION FOR THE NEXT COUNCIL MEETING

The next Council meeting is on March 24, 2022, via webinar.

The meeting adjourned at 12:30 PM.

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