



DRAFT

**SUMMARY NOVEMBER 16, 2023
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the December 14, 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 November 16, 2023, at the California Natural Resource Agency building at 715 P Street, Room 221 Sacramento, CA 95817.

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, Mehranian, Zingale, and Madueño.

3. PUBLIC COMMENT

There was no public comment.

4. CONSENT CALENDAR (ACTION ITEM)

a. Adoption of October 26, 2023, Meeting Summary

Chair Madueño presented the agenda item for adopting the consent calendar.

Chair Madueño asked for public comment.

There was no public comment.

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

Vote: 7/0 - The motion was adopted (Burgis: Aye, Damrell: Aye, Hueso: Aye, Lee: Aye, Mehranian: Aye, Zingale: Aye, Madueño: Aye)

The agenda item is viewable on the linked agenda at <https://bit.ly/3R9PlwT>, minute 00:01:59.

5. CHAIR'S REPORT (INFORMATION ITEM)

Chair Madueño began her report with a memorial tribute to Phil Isenberg, former Council Chair and Sacramento City Mayor. Chair Madueño next reported on the Delta Plan Interagency Implementation Committee (DPIIC) meeting that took place the previous week at the Bay-Delta Model in Sausalito. Chair Madueño provided an overview of the legislative tour of the Delta that occurred on November 15, 2023. This tour included legislative staffers from the Assembly and the Senate. Chair Madueño shared about her attendance at the DPIIC Restoration Forum held at the Ryde Hotel in Walnut Grove on November 2. Finally, Chair Madueño shared a farewell tribute to Dr. Larsen, who will be leaving the Delta Lead Scientist role on November 30, 2023.

a. Delta Crosscut Budget Update

Amanda Bohl, Special Assistant for Planning and Science, introduced the Delta Crosscut Budget Report and provided context about the origins of this report. Brooke White, Program Integration Division Manager with the U.S. Bureau of Reclamation, provided an overview of the total science expenditures, the trends of each spending category across four years, and the total expenditures by agency. White next reported on habitat expenditures by State and Federal agencies and the funding source for those expenditures. White closed with reflections on future improvements for creating the Crosscut Budget report, including using the Delta Science Tracker and engaging in more targeted outreach.

Councilmember Hueso, White and Executive Officer Pearson discussed what the expenditures in the report are measuring and being used for; most of the expenditures are for required monitoring and reporting, while there is more fluctuation on new research and competitive solicitations. Councilmember Hueso, Bohl, and Dr. Larsen discussed funding gaps, and ways to advocate to increase funds for new science research and synthesis. Councilmember Mehranian, Bohl, and White discussed how funding is allocated. Councilmember Mehranian and Pearson discussed the synthesis of data, and why specific data is selected to monitor and synthesize. Councilmember Burgis and Bohl discussed who the intended audience of the report is and how it can be used by decision-makers and staff. Chair Madueño highlighted that this report can be used as an accountability and advocacy tool. Chair Madueño, Councilmember Burgis, Pearson, and White, discussed the subcategories that break out the difference between mandated monitoring and new studies.

Chair Madueño thanked Bohl for all her work on coordinating the DPIIC meeting and Brandon Chapin, Legislative and Policy Advisor, for organizing the legislative tour. Chair Madueño closed with a video of legislative staffers sharing reflections from the tour.

Chair Madueño asked for public comment.

There was no public comment.

The agenda item is viewable on the linked agenda at <https://bit.ly/3R9PlwT>, minute 00:02:55.

6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson began by thanking Council staff and the California Conservation Corps for all their support on the legislative tour yesterday. Pearson next shared a memorial tribute to Phil Isenberg. Pearson reported on three new Covered Action Certifications. On October 27, the California Department of Fish and Wildlife submitted a certification of consistency for the Montezuma Slough Fish Screen Replacement Project in the Grizzly Island Wildlife Area. The project aims to replace two water intakes, located on the eastern boundary of the wildlife area and that pull water via gravity and tidal fluctuation from the tidally influenced

Montezuma Slough. The public review period is open through November 27. On November 8, the San Joaquin Area Flood Control Agency submitted a certification of consistency for the TS 30 L Levee Improvement Project along Tenmile Slough. The objectives of the project include meeting the requirements of California State Senate Bill (SB) 5 of 2007, the Central Valley Flood Improvement Act, to achieve a 200-year flood level of protection for urban and urbanizing areas, focusing on a reduction of flood risk in the City of Stockton. The public review period is open through December 8. Also on November 8, the Central Valley Flood Protection Board submitted a certification of consistency for the American River Common Features Sacramento River Erosion Project. The primary objective of this project is to restore the structural stability of the levee and maintain public safety. The public review period is open through December 8.

Pearson introduced Meenatchi Odaiyappan, the Council's newest Executive Fellow, and Dr. Elizabeth Brusati, a Senior Environmental Scientist in the Adaptive Management Unit.

Pearson also provided an overview of the Outreach Highlights Report, and the Active Projects List.

a. Legal Update

There was no Legal Update

b. Legislative Update (Action Item)

There was no Legislative Update.

c. State Water Resources Control Board Presentation on Proposed Bay-Delta Water Quality Control Plan Updates (INFORMATION ITEM)

Jay Ziegler, the Delta Watermaster, began with a reflection and appreciation of the life of Phil Isenberg, as well as thanking Council staff for coordinating the legislative tour, before introducing Diane Riddle, Assistant Deputy Director with the State Water Resources Control Board. Ziegler provided context for the presentation and shared appreciation for the work involved in preparing the Draft Staff Report. Riddle began with an overview of the State Water Resources Control Board's responsibilities including a review of the State Water Board's mission, and provided a description of the Bay-Delta Water Quality Control Plan (Bay-Delta Plan). Riddle

next provided an overview of the San Francisco/ Sacramento-San Joaquin Delta (Bay-Delta) Watershed, and its many uses and importance. Riddle briefly reviewed the Lower San Joaquin River Tributary flow and Southern Delta Salinity Updates made to the Bay-Delta Plan in 2018, which are currently in the process of being implemented. Riddle also mentioned that there is a consideration for a Voluntary Agreement on the Tuolumne River. Next, Riddle overviewed the geographic area that this current update will cover and the objectives of the Sacramento/Delta Update to the Bay-Delta Plan. Riddle reviewed the process the Sacramento/Delta Update has followed since 2012 and the proposed plan amendments. Riddle followed with a review of the recent activities in the Sacramento/Delta Update including a Memorandum of Understanding signed by State and Federal agencies, and water users proposing Voluntary Agreements (VA) as an alternative way to update and implement the Bay-Delta Plan as well as a review of recently published documents including the 2023 Draft Staff Report. Riddle next provided an overview of the 2023 Draft Staff Report. Riddle reviewed the recent and upcoming public participation and Tribal engagement opportunities following the release of the Draft Staff Report as well as the anticipated timeline of the Sacramento/Delta Update to the Bay/Delta Plan.

Councilmember Mehranian and Riddle discussed the process for a proposed change within the Bay-Delta system and what the Draft Staff Report accounts for through environmental evaluation, programmatic review, and monitoring evaluation. Councilmember Mehranian and Riddle also discussed the jurisdiction of the State Water Board. Chair Madueño and Riddle discussed the timeline of the VA's, the Tuolumne River VA, water quality control planning considerations, including climate change, and the technical assistance and financial resources available to economically disadvantaged communities.

Councilmember Hueso and Riddle discussed the history of water quality control plans, and the focus and scope of the Bay-Delta plan and implementation efforts to protect fish populations, as well as adaptive management approaches being considered. Councilmember Burgis and Riddle discussed the challenges of managing a complex watershed, the scale and scope of updating the Bay-Delta Plan and how the weather and flow patterns continue to change. Chair Madueño

thanked Riddle for all her work and the importance of adaptive management. Jeff Henderson, Deputy Executive Officer of Planning and Performance, highlighted elements of the Bay-Delta Plan that are important to the Council and the Delta Plan.

Chair Madueño asked for public comment.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/3R9PlwT>, minute 00:36:40.

7. LEAD SCIENTIST REPORT (INFORMATION ITEM)

Lead Scientist Dr. Laurel Larsen began with her monthly article highlight:

Hagani JS, Takekawa JY, Chappell SC, Tanner RL, Ernst AR and Kettenring KM (2023) A remote sensing approach to assess the historical invasion of Phragmites australis in a brackish coastal marsh. Front. Ecol. Evol. 11:1171245. doi: 10.3389/fevo.2023.1171245

Dr. Larsen summarized the main points of the article using a visual aid.

Phragmites australis, the common reed, has spread rampantly through Suisun Marsh in the last decade, and the best strategies for control likely involve early detection and rapid response of new patches, followed by efforts to decrease the expansion of larger patches. Unfortunately, early detection and rapid response (EDRR) to *Phragmites* patches in Suisun Marsh is complicated by several factors. First, is the fact that Suisun Marsh is a mosaic of managed wetlands surrounded by levees, with controlled inflow, and tidal wetlands, and allowable treatment strategies (such as herbicides) are restricted in tidal wetlands to prevent dispersal into the estuary and threats to endangered species habitat. Second, Suisun Marsh also has a mosaic of ownership type, including both public and private, with historically little coordination on *Phragmites* management. Third, data has not been available to assess rates of *Phragmites* spread, locations of new patches, or effectiveness of treatment. The California Department of Fish and Wildlife publishes expert-developed vegetation maps for Suisun every three years, depicting the

distribution of vegetation for the previous three years, which does not provide ample time for an EDRR response. To address data challenges associated with EDRR for *Phragmites australis* management, Jason Hagani from the Suisun Resource Conservation District and team developed an approach to automatically generate vegetation maps from publicly available aerial imagery collected through National Agriculture Imagery Program (NAIP) of the U.S. Department of Agriculture. In applying their new mapping technique to the available imagery, the research team found that *Phragmites australis* is expanding more rapidly in Suisun Marsh than has been reported elsewhere, suggesting that Suisun Marsh may have characteristics that make it particularly susceptible to *Phragmites* invasion. However, despite widespread expansion of *Phragmites australis* in Suisun Marsh overall, declines were observed in some land parcels, predominantly in managed wetlands, where most treatment has occurred. Thus, the research team concluded, it is important to coordinate EDRR efforts regionally. Such coordination may now be more possible with the new tools that they developed, enabling the generation of vegetation maps that reflect the current condition with publicly available datasets.

Councilmember Burgis and Dr. Larsen discussed how *Phragmites* are spread and if it provides food for other invasive species. Councilmember Hueso and Dr. Larsen discussed any potential benefits of the invasive species.

Dr. Larsen highlighted upcoming events of relevance to the Council:

- The Delta Interagency Invasive Species Symposium will take place on November 30, a hybrid meeting focused on making connections between stakeholders and communities to detect, prevent, and manage invasive species.
- Dr. Larsen participated on a Data for Lunch panel hosted by the California Water Data Consortium, discussing the implementation of AB 1755, the Open and Transparent Water Data Act.
- On December 6, the Delta Independent Science Board (ISB) will hold its next seminar in its Decision-Making Under Deep Uncertainty Seminar Series.
- The second workshop for the Salinity Management Workshop series will take place on March 26 and 27th, the focus of that workshop will be the human dimensions of salinity management.

Next, Dr. Larsen reported on past events hosted by or attended by the Council's Delta Science Program:

- On November 8 and 9, the Delta ISB hosted a workshop to evaluate the degree to which the inclusion of food-web interactions across different levels of the food chain could benefit and facilitate ecosystem management and whether the available data and science can support the development of tools (such as models).
- The Tidal Wetland Restoration Symposium, hosted by the State Water Contractors and California Department of Water Resources, took place on November 1. It also featured a panel on adaptive management led by Delta Science Program Environmental Program Manager Dr. Dylan Chapple.

Dr. Larsen closed with a brief highlight on:

- The Delta Breeze Newsletter – Now available online, the theme of the newsletter is open science—the global movement to make scientific research processes and products accessible to all.
- A presentation of the “By the Numbers” report.

Councilmember Burgis, Councilmember Lee, and Councilmember Zingale shared appreciation for Dr. Larsen’s work and thanked her for her service to the Council.

Chair Madueño presented Dr. Larsen with a certificate in recognition of her time as Delta Lead Scientist.

Chair Madueño asked for public comment.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/3R9PlwT>, minute 01:44:05.

8. CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) SOUTH DELTA REGIONAL STRATEGY (INFORMATION ITEM)

Deputy Executive Officer of Planning and Performance, Jeff Henderson introduced the California Department of Water Resources' South Delta Regional Strategy panel.

DWR's John Yarbrough, Assistant Deputy Director of the State Water Project, and Steve Rothert, Manager of the Division of Multi-benefit Initiatives, presented on DWR projects that would build climate resiliency for the South Delta and reduce flood risk, protect the ecosystem, and improve water supply, and water quality reliability.

Councilmember Mehranian, Rothert, and Yarbrough discussed project prioritization, timing during the selection process, and funding. Councilmember Burgis and Rothert discussed multi-benefit strategies and how they lend themselves to a collaborative process and the priority of the projects (habitat, capacity, decreasing salinity, flood risk reduction, water quality, and water supply).

Chair Madueño, Yarbrough, and Rothert discussed housing development in the Mossdale tract, the interaction with the rail system authority, the potential reconfiguration of Frank's Tract (an example of how to address water quality and habitat in the South Delta), Paradise cut project traction, alternatives for temporary gates (rock barriers not viable due to long term impacts).

Executive Officer Jessica Pearson and Rothert discussed Paradise Cut size perspective and landowner easements.

Chair Madueño asked for public comment.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/3R9PlwT>, minute 02:08:55.

9. CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) DELTA CONVEYANCE UPDATE (INFORMATION ITEM)

Deputy Executive Officer of Planning and Performance, Jeff Henderson introduced DWR's Delta Conveyance Program Manager, Carrie Buckman.

Buckman presented an update on ongoing activities relating to the Delta Conveyance Project's progress on the final environmental Impact report, project upcoming activities, and the proposed community benefits program.

Councilmember Zingale and Buckman discussed Conveyance Project participation wariness (participation in the community benefits program does not equal support of the project), benefits associated with the project (employment opportunities, economic opportunities, and hiring from underserved communities), and funding. Councilmember Burgis and Buckman discussed project timelines, planned start of construction, how construction would likely begin shortly after finalizing the permitting process, and the need for flexible planning to address unforeseen future concerns.

Chair Madueño and Buckman discussed a statement regarding project pieces "staying in place," and if those pieces qualify for grant improvements; like existing structures, workforce development training for hired workers, and small business development. Councilmember Lee and Buckman discussed similar community benefits programs existing in other state departments being used as a model for DWR's Conveyance Project.

Chair Madueño asked for public comment.

Public Comment

There was a public comment from Osha Meserve on behalf of the Local Agencies of the North Delta. Meserve commented on and inquired about DWR's compliance under federal law to analyze the environmental impacts of project implementation and their plans to do so. Buckman will address the comment in the next update.

Chair Madueño asked for public comment.

There was no further public comment.

The item is viewable on the linked agenda at <https://bit.ly/3R9PlwT>, minute 02:44:21.

10. CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) REDUCED RELIANCE AND WATER MANAGEMENT PLAN UPDATE (INFORMATION ITEM)

Deputy Executive Officer of Planning and Performance, Jeff Henderson introduced DWR's program manager Katherine Marquez and Metropolitan Water District's Program Manager Jennifer Nevills.

DWR and the Metropolitan Water District presented data concerning reduced reliance on the Delta reported by individual water agencies in their respective Urban Water Management Plans (UWMPs) and Agricultural Water Management Plans (AWMPs).

Councilmember Burgis, Nevills, and Marquez discussed the clarification of the word "reduced" in terms of how reduction is defined (Delta supplies, baseline, and volume or percentage), water suppliers versus water contractors, availability of a compiled list or data on water suppliers' reduced reliance, DWR guidebook adherence, alternative methods of demonstrating reduced reliance, where water is taken from, and the assessment of growth and future needs in planning projects.

Councilmember Mehranian and Marquez discussed the extent of collaboration with other water agencies.

Councilmember Lee, Nevills, and Marquez discussed the differentiation in project plans between animal agriculture or crop agriculture (animal agriculture uses more water).

Councilmember Damrell sought clarification on Agricultural Plan requirements. Chief Counsel Jorge Aguilar and Nevills clarified that there are definitions in the water code for agricultural water suppliers and in the Council's regulations—which

are based on irrigated acreage. Lee recommended that in future climate change work, there should be a differentiation between crop and animal agriculture.

Councilmember Burgis and Marquez discussed tracking reduced reliance on water supplies, and a differentiation regarding Lee's question on crop versus animal agriculture, on different industries.

Chair Madueño, Nevills, and Pearson discussed water suppliers that would be receiving water from the Delta Conveyance Project (DCP) as a covered action (ultimately leading to a consistency certification), Delta Plan recommendations for water suppliers that receive water from the Delta, related Delta Plan regulations, and past litigation concerning the Council's authority. The discussion also acknowledged a collaboration milestone.

Chair Madueño asked for public comment.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/3R9PlwT>, minute 03:10:47.

11. PREPARATION FOR THE NEXT COUNCIL MEETING

The next Council meeting will take place on December 14. Please refer to the posted meeting notice 10 days before the meeting for further information or updates.

The meeting was adjourned at 1:31 p.m.

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