



DRAFT

**SUMMARY: SEPTEMBER 23, 2021
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the October 28, 2021 meeting.

In accordance with the Governor's Executive Order N-08-21 issued on June 11, 2021, 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, September 23, 2021.

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, Virginia Madueño, Don Nottoli, Christy Smith, Susan Tatayon, and Daniel Zingale.

Councilmember Mehranian arrived during Item 6, the Executive Officer's Report.

3. CONSENT CALENDAR

Motion: Offered by Zingale, second by Smith – 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=2021-09-23> minute 1:15

4. CHAIR'S REPORT (INFORMATION ITEM)

Chair Tatayon introduced Special Assistant for Planning and Science Amanda Bohl. Bohl summarized the upcoming Delta Plan Interagency Implementation Committee (DPIIC) meeting on October 18, 2021, from 1-3 PM. The meeting will include updates on the Science Action Agenda, Delta Plan Performance Measures, as well as the creation of a DPIIC Restoration Subcommittee as recommended by the Ecosystem Amendment.

Public Comment

Deirdre Des Jardins, California Water Research, commented that she submitted a letter regarding the Delta Independent Science Board funding. Des Jardins felt that it should be a noted concern for the upcoming DPIIC meeting as well.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-09-23> minute 02:18.

5. PUBLIC COMMENT

Deirdre Des Jardins, California Water Research, noted that a presentation at the September 16, 2021, Delta Independent Science Board (Delta ISB) meeting showed a historical average of \$466,000 for Delta ISB funding. Des Jardins noted that this is a 33 percent cut from the original proposed 2020-2021 contract budget. Des Jardins expressed concerns that the potential funding cut may correspond to a decrease in hours for the Delta ISB members. She requested clear and publicly accessible information around the compensation budget for the Delta ISB.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-09-23> minute 06:52.

6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson announced that the Council would release the Draft Program Environmental Impact Report (PEIR) for the Ecosystem Amendment (Chapter 4 of the Delta Plan). In addition, the Draft PEIR will be the subject of a public workshop scheduled for the November Council Meeting. Interested members of the public can visit <https://deltacouncil.ca.gov/delta-plan/amendments> for more information and can direct comments and questions regarding the Ecosystem Amendment or PEIR to ecosystemamendment@deltacouncil.ca.gov.

The Council submitted a letter to the Solano Resource Conservation District on August 27, 2021, regarding the Initial Study and Proposed Mitigated Negative Declaration for the Ulatis Creek Habitat Restoration Project. The letter states that the project may be considered a covered action, outlines applicable Delta Plan policies, and invites the District to meet with the Council for early consultation.

The Outreach Highlights Report and Active Projects List were provided to the Council in writing.

6a. Legal Update (Information Item)

There was no Legal Update.

6b. *Legislative Update (Information Item)*

Pearson noted that SB 821, which addresses compensation for the Delta Independent Science Board, is still awaiting the Governor's action. If signed, the bill will take effect immediately, and the Council will begin implementation.

Public comment

Deirdre Des Jardins, California Water Research, requested clarification from the Executive Officer around the contract hours, amounts, and implementation that would be possible if SB 821 were to take effect. Pearson noted that though she didn't have the exact numbers, there wasn't a decrease in hours or contract amounts other than what is consistent with SB 821. Pearson stated she would follow up with Des Jardins offline.

The Executive Officer's Report is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-09-23> minute 10:43.

7. LEAD SCIENTIST'S REPORT (INFORMATION ITEM)

Delta Lead Scientist Dr. Laurel Larsen gave an overview of a two-part primer on "must-know" aspects of Delta fisheries developed by Delta Science Program staff member Pascale Goertler. Dr. Larsen then discussed a recently published paper by Nobriga et al., exploring how predation on Chinook Salmon smolt navigating the Delta may be affected by the increasing pressures of climate change and human interference.

Councilmembers discussed the methods of the data collection and the timing of the field research. Dr. Larsen also elaborated on the possible correlation between the increasing amount of invasive aquatic weeds and the increasing predation by the largemouth bass. Controlling invasive aquatic weeds continues to be a difficult task, but some of the highest-ranking actions from the Science Actions Workshop are focused on this issue.

Dr. Larsen announced two new interns, Truc Nguyen and Luis Lechuga. They come to the Council through a partnership with Jewish Vocational Services. This pilot program gives interns from diverse backgrounds an opportunity to learn about our agency while working on Delta-related data and visualization projects in the Planning and Science divisions.

Dr. Larsen gave an update on the ongoing social science integration efforts at the Council. The Social Science Integration Team has organized its first series of brown bag seminars on environmental justice. The next talk will take place on November 3

at 12 PM and will focus on indigenous justice. All the series' discussions are open to the public, feature a question-and-answer segment, and are now available for registration.

On October 1, 2021, the San Francisco Estuary Partnership will hold a free, fully virtual, one-day State of the Estuary "Summit." Information is available on the Estuary Partnership's website at: <https://www.sfestuary.org/>. The San Francisco Estuary Partnership expects to return to the usual in-person State-of-the-Estuary Conference in 2023.

Dr. Larsen also announced a salinity management workshop organized by Council staff and an interagency planning committee that will take place in the winter of 2021. These groups are designed to promote forward-thinking anticipatory planning for distinct future scenarios using new and experimental salinity management alternatives.

Dr. Larsen noted that Delta Lead Scientist "Ask Me Anything" will continue to occur the Monday after Council meetings, at noon.

Dr. Larsen closed with an overview of the By the Numbers summary.

Public Comment

Dierdre Des Jardins, California Water Research, thanked Dr. Larsen and her team for the presented fact sheets. Des Jardins also noted concern around the herbicides sprayed in the Delta to decrease the number of invasive aquatic weeds building up during periods of low tidal action. Des Jardins also stated that more environmental and fishing groups need to be involved in the planning process for the Delta Science Program.

Councilmembers thanked Dr. Larsen for her skilled effort in making complicated scientific issues easy to digest and apply.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-09-23> minute 10:38.

8. CONSIDERATION AND POSSIBLE APPROVAL OF A CONTRACT WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO, CALIFORNIA SEA GRANT FOR THE 2022 CLASS OF DELTA SCIENCE FELLOWS AND 2022/2023 CLASSES OF STATE POLICY FELLOWS (ACTION ITEM)

Council staff recommended that the Council approve a new contract with the Regents of the University of California, San Diego (UCSD), California Sea Grant, in the amount of \$2,069,146, for the class of 2022 Delta Science Fellows Program and

the class of 2022/2023 Delta State Policy Fellows Program. The contract term would be from November 1, 2021, through October 31, 2024.

Dr. Larsen introduced the current cohort of Sea Grant and Delta Science Program fellows, and each gave an overview of their experience with the Council.

Motion: Offered by Mehranian, second by Damrell - Approve submittal of the contract.

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=2021-09-23> minute 46:15.

9. DELTA WATERMASTER UPDATE (INFORMATION ITEM)

Delta Watermaster Michael Patrick George provided an overview of the emergency drought regulations and their impacts on the Delta, including those curtailing water rights and impacting reporting. Mr. George also gave an overview of his office's investigation of exporters' complaints of alleged unlawful water diversions in the Delta.

The Watermaster also reviewed the emergence of a Delta voluntary dry-year response program, continued planning for drought (including salinity management challenges), and the public launch of OpenET, which will interface with the Delta Alternative Compliance Program (meeting the requirements of the Water Board's diversion measurement regulations).

Councilmembers discussed the methods, such as cultivating rice, that would halt and possibly reverse subsidence and noted the complications of those methods that increase overall water use. Mr. George also elaborated that the exporters' desire in the alleged unlawful diversions complaint is for the water lost to be allocated for protection purposes due to the severe danger of salinity intrusion during this extreme drought.

Public Comment

Deirdre Des Jardins, California Water Research, thanked the Watermaster for his work. Des Jardins pointed out some of the low quality of water reporting data in the past and wanted to know what changes had been made to improve accuracy. Mr. George responded that the data collection has improved, and his office is now focused on making the data synthesized and readily available to the public.

Matt Conover, Don McCormack Ranches, noted his concern on the dams and reservoirs in the area that are losing water to evapotranspiration and requested an update on utilizing satellites to monitor evapotranspiration and water use for crops. Mr. George commented that there is some fear, mainly outside the Delta, that regulators might abuse water usage information. However, Mr. George argued that the more accurate data leads to better water management.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-09-23> minute 1:14:43.

**10. METROPOLITAN TRANSPORTATION COMMISSION/ASSOCIATION OF BAY AREA GOVERNMENTS DRAFT PLAN BAY AREA 2050 COMMENT LETTER UPDATE
(ACTION ITEM)**

Councilmember Madueño recused herself from this agenda item.

MTC/ABAG's Assistant Director of Major Plans, Dave Vautin, presented the Plan Bay Area 2050 and its relationship to the Delta. The proposed Plan Bay Area 2050 is a long-range regional plan that outlines housing, economic, transportation, and environmental strategies to achieve regional objectives for affordability, connectivity, diversity, health, and vibrancy, while also achieving greenhouse gas emissions reduction targets established by the California Air Resources Board. Draft Plan Bay Area 2050 and supporting documents are available at: <https://www.planbayarea.org/draftplan2050>.

Council staff provided an overview of the Council's authority pertaining to the review of regional plans and sustainable community strategies (such as Plan Bay Area 2050) outlined in Water Code Section 85212, and of the Council's comment letter to MTC/ABAG. The Council's comment letter on the Metropolitan Transportation Commission/Association of Bay Area Governments' (MTC/ABAG) Draft Plan Bay Area 2050 and Draft Environmental Impact Report (EIR). Staff recommended that Council approve the preliminary findings provided in the July 20, 2021 comment letter and authorize staff to finalize and submit the letter to MTC/ABAG.

Public Comment

Deirdre Des Jardin, California Water Research, commented that some of the ice mass loss due to climate change is twice what some scientific models are capturing. Des Jardins recommended that the Bay Area be protected for two feet of sea level rise by 2050.

Matt Conover asked if a portion of Plan Bay Area 2050 is dedicated to economic and job growth. Dave Vautin responded that his presentation today was focused on environmental strategies, but there is an economic chapter dedicated to encouraging new jobs and tackling inequities in the area. The chapter can be found here: <https://www.planbayarea.org/2050-plan/draft-plan-bay-area-2050/chapter-3-economy>.

Motion: Offered by Damrell, second by Nottoli- Approve the preliminary findings of the July 20, 2021 comment letter.

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=2021-09-23> minute 2:37:52.

**11. SAN FRANCISCO ESTUARY PARTNERSHIP'S ESTUARY BLUEPRINT
(INFORMATION ITEM)**

Special Assistant for Planning and Science Amanda Bohl introduced Caitlin Sweeney, director, San Francisco Estuary Partnership (SFEP). Sweeney gave an overview of the Estuary Blueprint's plans for updating the 2022-2026 priority actions. Council staff has been actively engaged in updating the actions relevant to the Delta and ensuring compatibility with the Delta Plan, a sister document of the Estuary Blueprint. Sweeney also announced the State of the Estuary Virtual Summit mentioned by Dr. Larsen earlier.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-09-23> minute 02:42:18.

12. DELTA CONVEYANCE UPDATE (INFORMATION ITEM)

Chair Tatayon recused herself, and Councilmember Damrell presided over the remainder of the meeting.

Environmental Program Manager for Delta Conveyance, Department of Water Resources, Carrie Buckman, gave an update on the Delta Conveyance Project's (project) environmental planning, including efforts to develop a Community Benefits Program framework, outreach efforts, and preliminary operational criteria.

Interim Executive Director, Delta Conveyance Design and Construction Authority, Graham Bradner, summarized the project's conceptual design revisions made in response to feedback from the environmental process and recent Community Engineering Briefings.

Councilmember Nottoli requested advanced notice of the community briefings for the Delta Protection Commission and other local representatives to increase awareness and participation. Bradner elaborated that the meetings are formed organically and angled toward local community members who have an on-the-ground concern but could see the benefit of additional agencies participating.

Public Comment

Dierdre Des Jardins, California Water Research, commented that since the intakes were first proposed for this project, the maximum estimated sea level rise has doubled for the Delta from one meter to two meters. Des Jardins noted her concern that there isn't any public analysis of sea level rise associated with this project, and the community is uninformed about this issue.

Matt Conover, Reclamation District 1002, asked for clarification on the proposed changes to the water displacement. Bradner elaborated that the changes allow the floodwaters to move as they have historically.

Dan Whaley, Delta Legacy Communities, noted community opposition to the project due to the lack of current modeling in their scientific assessment of seismic activity and sea level rise changes. Whaley requests a cost-benefit analysis for the project. He expressed his concern that this project would damage the Delta.

Al Nederhood, Municipal Water District of Orange County, asked if the budget changed with the associated changes to the project. Bradner didn't have a dollar amount to provide for the proposed changes.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-09-23> minute 02:54:31.

13. PREPARATION FOR THE NEXT COUNCIL MEETING

The next Council meeting is on October 28, 2021, via webinar.

Councilmember Nottoli requested an update from Council staff on the recent legislation concerning CEQA exemptions for restoration projects for the October meeting.

The meeting adjourned at 12:44 PM.

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