



DRAFT

**SUMMARY JANUARY 25, 2024
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the February 29, 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 January 25, 2024, 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 and in person: Burgis, Damrell, Lee, Mehranian, and Madueño.

The following councilmember was present remotely: Zingale.

3. CLOSED SESSION: LITIGATION (WATER CODE §85210.5) (ACTION ITEM)

The Council convened in closed session. The Council may discuss litigation matters pursuant to Government Code §11126(e)(1), (e)(2)(A), (e)(2)(B)(i), and/or (e)(2)(C), including Takahashi v. Delta Stewardship Council, Sacramento County Superior Ct. No. 34-2018-00232084.

4. RECONVENE OPEN SESSION

Chair Madueño reconvened the open session and stated there was nothing to report out of the closed session.

Councilmember Hueso joined the meeting in person after the Closed Session.

5. PUBLIC COMMENT

There was no public comment.

6. CONSENT CALENDAR (ACTION ITEM)

- a. **Adoption of December 14, 2023, Meeting Summary**
- b. **Consideration and Possible Adoption of revised Delta Plan Chapter 7, “Reduce Risk to People, Property and State Interests in the Delta” (including RR P1) Appendix P, and Delta Plan Executive Summary (Resolution 2024-01)**
- c. **Consideration and Possible Approval of an Amendment to Contract DSC- 21055 with the Regents of the University of California San Diego, California Sea Grant for the Delta Independent Science Board Support and Technical Expertise Services (Resolution 2024-02)**
- d. **Consideration and Possible Approval of an Amendment to Contract #1461 with Stantec Consulting Services, Inc. to Add Funds and Extend the Performance Period (Resolution 2024-03)**

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 Mehranian, 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/48Snmim>, minute 00:04:49.

7. CHAIR'S REPORT (INFORMATION ITEM)

Chair Madueño began with a report of the National Heritage Area Advisory Committee Meeting she attended. Next, Chair Madueño shared the opportunity she and Executive Officer Jessica Pearson had to meet with Jennifer Quan, the Regional Administrator with the National Oceanic and Atmospheric Administration (NOAA). Chair Madueño closed by sharing she is looking forward to future meetings with legislators and staff in the coming weeks.

Chair Madueño asked other Councilmembers to share any relevant updates. Councilmember Burgis reported on a recent tour of the Delta in which she participated. One of the key takeaways from the tour was a focus on the Flood Control Subventions Program. Councilmember Burgis also shared about her opportunity to travel to Southern California for a tour of San Diego and Los Angeles with the Metropolitan Water District to meet with agency representatives and learn about water supply challenges.

Councilmember Hueso shared his experience with the recent flooding event in San Diego and the historic nature of the event. Councilmember Hueso also discussed what this event means for the watershed of San Diego and California in general. Councilmember Mehranian and Hueso discussed water storage and capture programs in San Diego. Councilmember Mehranian, Hueso, and Burgis discussed the larger implications of this storm and what this will mean going forward in planning for storage and preparation.

Chair Madueño closed with a reflection on a meeting with the state water contractors which she attended and the importance of understanding the changing weather patterns, preparation, and emergency response.

Chair Madueño asked for public comment.

There was no public comment.

The agenda item is viewable on the linked agenda at <https://bit.ly/48Snmim>, minute 00:05:36.

8. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson highlighted the upcoming Delta Adapts workshop that is scheduled for March 1 in Walnut Grove. Pearson shared more information about the meeting with Regional Administrator Jennifer Quan from NOAA. Next, Pearson highlighted the opportunity to present to the newly selected Delta Leaders, a program in its 7th year that aims to identify emerging leaders in the Delta Community. Pearson shared that she will be participating in a panel discussion at a National Academies of Science (NAS) event to kick off a review of the Long Term Operations of the State and Federal Water Projects.

Pearson highlighted that Eva Bush, an environmental program manager in the Planning Division, was selected as part of this year's Water Education Foundation's yearlong Water Leaders program.

Pearson reported there has been one new Covered Action Certification since the last meeting. On December 22, the City of West Sacramento filed a certification of consistency for implementing ecosystem, water quality, and recreational improvements at the Bees Lakes site along the west bank of the Sacramento River in the City of West Sacramento, Yolo County, California. The public review period for potential appeals was open through January 22, 2024. No appeals were filed. Pearson next outlined the two comment letters the Council sent out in the past month. On January 17, the Council sent a letter to the Chairs and members of the Senate Natural Resources and Assembly Water Parks and Wildlife Committees regarding the completion of the Delta Levees Investment Strategy as a regulation now in effect. On January 19, Council staff submitted a comment letter to the State Water Resources Control Board on the Draft Staff Report in Support of Potential Sacramento/Delta Updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, also known as the Bay-Delta Plan.

Pearson welcomed a new 2024 CA Sea Grant Fellow, Alexandra Stella, to the Collaborative Science Peer Review Unit.

Pearson closed by highlighting the Quarterly Contract Report, Outreach Highlights Report, and Active Projects List are included in the Councilmember packets and online.

a. Legal Update

Chief Counsel Jorge Aguilar reviewed new Bagley-Keene Act provisions for teleconference meetings. Councilmember Burgis and Aguilar discussed the scenarios that would result in adjourning a meeting under these new requirements. Councilmember Hueso and Aguilar discussed the new challenges of these new requirements. Aguilar outlined the three ways the Council can hold a meeting under the new Bagley-Keene Act requirements.

Next, Aguilar outlined a decision that came out of the Superior Court recently in Sierra Club vs. California Department of Water Resources and its relevance to the Council.

b. Legislative Update (Action Item)

Legislative and Policy Advisor, Brandon Chapin, and Executive Fellow, Meenatchi Odaiyappan, presented the legislative update. Chapin began with an overview of the Governor's proposed budget.

Chair Madueño and Chapin discussed the possibility of a climate bond, including possible deadlines. Councilmember Hueso provided additional context on the bonds and deadlines. Councilmember Mehranian and Chapin discussed the Urban Flood Reduction projects named in the budget proposal.

Chapin next introduced two new changes in leadership in the legislature relevant to the Council. Chapin reviewed Senate Bill (SB) 366 The California Water Plan.

Councilmember Mehranian and Chapin discussed the elements included in the bill. Chair Madueño and Chapin discussed a future meeting with Senator Anna Caballero, the legislator who introduced the bill. Pearson and Chapin discussed what the water plan is.

Executive Fellow Odaiyaapan provided an overview of H.R 6476 which will add additional area to the Sacramento San Joaquin National Heritage Area.

Chair Madueño and Councilmember Burgis discussed why certain areas weren't included in the first proposal of the National Heritage Area.

c. Annual Report (INFORMATION ITEM)

Abbott Dutton, Deputy Executive Officer for Communications, and Information Officer II, Brittany Young, presented the Annual Report. Dutton shared this report's theme, progress through partnerships and outlined what the goal of the Annual Report is each year. Young provided an overview of this year's Annual Report, hosted on a story map platform, highlighting new features and sections included in this year's report including audio clips. Dutton continued with a preview of the story map's main points highlighting collaborative science and other projects completed throughout the year. Young highlighted additional features of the story map. Dutton and Young closed with an overview of the outreach plan for distributing this report and thanked their partners and collaborators.

Councilmember Zingale, Councilmember Burgis, and Chair Madueño shared their enthusiasm for this year's report and how engaging this format is for education and building support.

Chair Madueño asked for public comment.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/48Snmim>, minute 00:23:23.

9. LEAD SCIENTIST REPORT (INFORMATION ITEM)

Lead Scientist Dr. Lisamarie Windham-Myers shared her monthly article highlight:

Ellen P. Preece, Janis Cooke, Haley Plaas, Alexandria Sabo, Leah Nelson, Hans W. Paerl. 2024. Managing a cyanobacteria harmful algae bloom "hotspot" in the Sacramento – San Joaquin Delta, California. Journal of Environmental Management, Volume 351, 119606. <https://doi.org/10.1016/j.jenvman.2023.119606>

Dr. Windham-Myers summarized the main points of the article using a visual aid. Cyanobacterial harmful algal blooms (CHABs) have become an increasingly persistent problem within the San Francisco Estuary due to the effects of increased temperatures, extreme climate events, and over-enrichment of nutrients in water. CHABs are harmful to ecosystems and can result in large fish kills when they occur. This study focused on the area within the Deep Water Ship Channel and the Stockton waterfront with the most severe CHABs and where a CHAB event occurred during the study in the summer of 2022. Within this area, the study looked at nitrogen (N) and phosphorus (P) concentrations in the surface water and whether the algal bloom distribution in this region was responding to these as growth-limiting nutrients. A *Microcystis* bloom occurred in the summer of 2022, and even though other species were present, *Microcystis* was the most abundant. It was found that nutrient concentrations in the Stockton Channel were particularly high even for this region and were tied to both the static water flow, and likely a combination of sources. Although there were high concentrations of *Microcystis* at all 8 sites in the study, Waterfront 3 (near the Morelli boat ramp) had the highest density and most severe bloom. Waterfront 3 was consistently the shallowest (~4m) and mostly the warmest site, and *Microcystis* can grow well under these conditions. The bloom led not only to toxin production but high pH and high dissolved oxygen, likely creating a positive feedback loop that sustained the bloom by keeping nutrients available through the consistently high pH and increasing the amount of organic matter in the sediment. All of these events together created both internal and external nutrient loading that created the ideal environment for this cyanobacteria to grow exponentially, with the bloom lasting until December 2022.

This paper outlined 4 main categories of management tools to mitigate against CHABs, and whether they would likely make a difference in the Stockton Channel. They are 1) external nutrient control, 2) chemical controls (such as algaecides or barley straw), 3) introducing aquatic vegetation as a biological control to compete

against the cyanobacteria for nutrients or light resources, and 4) physical/mechanical controls by using water flows to disrupt the life cycle of the cyanobacteria. Dr. Windham-Myers closed with a highlight of the HABS monitoring workshop the Delta Science Program hosted in November 2022.

Councilmember Burgis and Dr. Windham-Myers discussed the challenges with identifying blooms, the unique effects of the cyanobacteria toxin to human and animal health, and the economic impacts of the blooms. Councilmember Burgis and Dr. Windham-Myers clarified the source and conditions for these blooms to form, possible strategies for management, and nutrient content of the blooms.

Chair Madueño and Dr. Windham-Myers discussed how other plants such as water hyacinth interact with the CHABS, and the effect of blooms on fisheries.

Dr. Windham-Myers next highlighted the 2024 Bay-Delta Science conference that will be held in person at the Safe Credit Union Convention Center in Sacramento, CA, from September 30 to October 2, 2024. Dr. Windham-Myers reported the 2022 State of Bay-Delta Science Executive Summary has been released. This executive summary offers a condensed version of the edition and provides a snapshot of the main topics covered in each individual article, highlighting key takeaways and summarizing the next steps to consider for future science and management actions. Dr. Windham-Myers provided an overview of the topics included in this edition.

Dr. Windham-Myers highlighted the following upcoming events:

- State of the Estuary Conference, on March 12-13 in Oakland, CA.
- Salinity Management Workshop hosted by the Delta Science Program on March 26-27.

Councilmember Burgis and Dr. Windham-Myers discussed CHABS and the effect on surface water, and water quality treatment to remove the bacteria.

Dr. Winham-Myers next provided a brief overview of the By the Numbers Report.

Chair Madueño asked for public comment.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/48Snmim>, minute 01:05:21.

10. DELTA INDEPENDENT SCIENCE BOARD (ISB) UPDATE (INFORMATION ITEM)

Dr. Lisa Wainger, Delta ISB Chair, opened with an update on the Delta ISB's current changes in ISB board members, with a special acknowledgment of Dr. Steve Brandt's departure and accomplishments, and the addition of Dr. Kenny Rose to the ISB.

Dr. Lisa Wainger provided a presentation on ISB activities, which included an overview of Delta ISB's 2024 annual work plan and an update on current thematic reviews on food webs, subsidence, and decision-making under deep uncertainty.

Councilmember Mehranian and Dr. Lisa Wainger discussed the naturalness of predictability/unpredictability and the development of differing scenarios before, or after events occur (reactionary vs preventative planning). They also discussed the importance of having multiple scenarios for flexibility, using the correct toolsets (resist, retreat, mitigate), and how thinking outside of the box can be better utilized or considered when developing strategies to bring in front of decision-makers.

Councilmember Burgis and Dr. Lisa Wainger discussed community expectations and preparedness regarding forecasted investments in infrastructure and how difficulty in planning has become more problematic due to environmental variability.

Chair Madueño thanked Dr. Lisa Wainger and echoed Councilmember Burgis' thoughts on uncertainty and education before transitioning into the importance of having an independent science board with a multi-faceted approach to problem-solving, ideas of increased exposure for the ISB, a push to diversify messaging to reach more participants, and perspective sharing experience for both the ISB and the communities.

Chair Madueño asked for public comment.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/48Snmim>, minute 01:35:33.

11. PREPARATION FOR THE NEXT COUNCIL MEETING

The next Council meeting will take place on February 29, and March 1. Please refer to the posted meeting notice 10 days before the meeting for further information or updates.

The meeting was adjourned at 11:34 a.m.

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