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Posted Date: May 10, 2021

## **MEETING NOTICE**

Meeting of the Delta Stewardship Council

**Meeting Date:**

May 20 and 21, 2021

**Start Time:**

9:00 AM both days

In accordance with Governor Newsom's March 12, 2020 Executive Order N-25-20 and March 17, 2020 Executive Order N-29-20, the Council will provide for remote participation by councilmembers, staff, and members of the public. As such, this meeting will be conducted entirely remotely via Cal-Span and Zoom: there will not be a public, in-person access location.

To observe this meeting, visit Cal-Span (<https://www.cal-span.org>) and select the Council meeting. For optimal quality, use the Microsoft Edge or Mozilla Firefox browsers. The meeting may also be observed via Zoom (<https://us02web.zoom.us/j/8351477788>) or telephone at (669) 900-6833 with webinar ID **835 1477 7788**. Attendees will be automatically muted upon joining the meeting.

Members of the public interested in providing comments should join the meeting via Zoom and contact the Council clerk via email at [engage@deltacouncil.ca.gov](mailto:engage@deltacouncil.ca.gov) or telephone at (916) 798-9817, providing their name and organization (if applicable).

When called on by the Council chair, the attendee will be unmuted and able to provide oral comment (this process is the same for Zoom and telephone attendees). Alternatively, comments may be called in or emailed for the Council clerk to read aloud to councilmembers during the meeting.

Questions, concerns, or issues with the webcast? Please contact the Council's public participation team via email at [engage@deltacouncil.ca.gov](mailto:engage@deltacouncil.ca.gov) or telephone at (916) 798-9817.

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*"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place." – CA Water Code 885054*

**Webcast:**

The meeting will be webcast at: <https://www.cal-span.org>

Select the Delta Stewardship Council meeting from the list under "Next Live State Meetings."

**Direct Link to Meeting:**

You can join the meeting directly as an Attendee at:

<https://us02web.zoom.us/j/8351477788>

**Phone Number:**

Please call (669) 900-6833

Webinar ID: **835 1477 7788**

**THE AGENDA ITEMS LISTED BELOW MAY BE CONSIDERED IN A DIFFERENT ORDER PURSUANT TO THE DETERMINATION OF THE COUNCIL CHAIR. TIMES LISTED ON THE AGENDA ARE APPROXIMATE ONLY. AT THE DISCRETION OF THE DELTA STEWARDSHIP COUNCIL, ALL ITEMS APPEARING ON THIS AGENDA, WHETHER OR NOT EXPRESSLY LISTED FOR ACTION, MAY BE DELIBERATED UPON AND MAY BE SUBJECT TO ACTION. PUBLIC COMMENT MAY BE LIMITED TO THREE MINUTES PER PERSON.**

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DAY 1 (MAY 20, 2021)

START TIME: 9:00 AM

1. WELCOME AND INTRODUCTIONS

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

3. PUBLIC COMMENT

The public may comment on any topic not on the Council's agenda.

4. PUBLIC HEARING REGARDING APPEALS OF THE CERTIFICATION OF CONSISTENCY FOR THE LOOKOUT SLOUGH TIDAL HABITAT RESTORATION AND FLOOD IMPROVEMENT PROJECT (**INFORMATION ITEM**)

Pursuant to Water Code section 85225.20, the Council will hold a public hearing regarding four appeals of the certification of consistency with the Delta Plan for the Lookout Slough Tidal Habitat Restoration and Flood Improvement Project, Certification Number C20215, submitted on February 22, 2021 by the Department of Water Resources. A link to the hearing notice

can be found here:

<https://coveredactions.deltacouncil.ca.gov/services/download.ashx?u=b7a305c-c-af96-4816-92af-513d4c8a70ff>

- a) Opening of Hearing and Explanation of Hearing Process by the Chair
- b) Hearing
  - i. Presentations will be made by the Department of Water Resources (Department) (up to 120 minutes total), the Delta Protection Commission (DPC) (up to 30 minutes), and Appellants (Liberty Island Access, Reclamation Districts 2060 and 2068, Solano County Water Agency, and Central Delta Water Agency) (up to 30 minutes each). The Parties and DPC may each split their time between opening and closing presentations.

- c) Recess to continue until the next day on May 21, 2021 at 9:00 AM.

*(Note: A certified shorthand reporter will record the hearing proceedings.)*

The hearing will continue on May 21, 2021 at 9:00 AM.

**DAY 2 (MAY 21, 2021)**

**START TIME: ~9:00 AM**

**4. PUBLIC HEARING REGARDING APPEALS OF THE CERTIFICATION OF CONSISTENCY FOR THE LOOKOUT SLOUGH TIDAL HABITAT RESTORATION AND FLOOD IMPROVEMENT PROJECT (INFORMATION ITEM)**

The hearing will recommence from the previous day's proceedings.

The Council will continue the public hearing regarding four appeals of the certification of consistency with the Delta Plan for the Lookout Slough Tidal Habitat Restoration and Flood Improvement Project, Certification Number C20215, submitted on February 22, 2021 by the Department of Water Resources. A link to the hearing notice can be found here:

<https://coveredactions.deltacouncil.ca.gov/services/download.ashx?u=b7a305c-c-af96-4816-92af-513d4c8a70ff>

- a) Recommencement of Hearing Proceedings and Explanation of Hearing Process by the Chair
- b) Hearing
  - i. Councilmembers will have the opportunity to ask additional questions of the Parties and DPC.

- ii. Public comment (refer to public comment directions above for verbal comments or the hearing notice (<https://coveredactions.deltacouncil.ca.gov/services/download.ashx?u=b7a305cc-af96-4816-92af-513d4c8a70ff>) for details for the submission of written comments).

*(Note: A certified shorthand reporter will record the hearing proceedings.)*

5. **CONSENT CALENDAR (ACTION ITEM)**

Items for the consent calendar are expected to be routine and non-controversial. The Council will be asked to approve items on the consent calendar at one time without discussion. If any councilmember, staff, or interested person requests that an item be removed from the consent calendar, it will be removed. Removed items may be taken up either immediately after the consent agenda or placed later in the agenda at the Chair's discretion.

A) **ADOPTION OF APRIL 22, 2021 MEETING SUMMARY**

6. **CHAIR'S REPORT (INFORMATION ITEM)**

7. **PUBLIC COMMENT**

The public may comment on any topic not on the Council's agenda.

8. **EXECUTIVE OFFICER'S REPORT**

The Executive Officer will provide an update on the Council's activities and provide the Council with outgoing correspondence, the Outreach Highlights Report, the Active Projects List, and other relevant documents.

A) **LEGAL UPDATE (INFORMATION ITEM)**

B) **LEGISLATIVE UPDATE (ACTION ITEM)**

The Council may discuss current legislation that could affect the Council and/or implementation of the Delta Plan, and may take action to express support, opposition, or seek to amend any of the bills listed in the monthly legislative report.

9. **LEAD SCIENTIST'S REPORT (INFORMATION ITEM)**

Delta Lead Scientist Dr. Laurel Larsen will provide an update on Delta Science Program activities. The Lead Scientist Update provides the Council with unbiased advice on matters of scientific importance in the Delta. The monthly

report provides an opportunity to discuss relevant advances in science impacting the Delta and highlights Delta Science Program activities.

10. **DELTA LEVEES INVESTMENT STRATEGY UPDATE (INFORMATION ITEM)**

Council staff will provide an update on the development of the Council's Delta Levees Investment Strategy (DLIS) for amendment of Delta Plan Policy RR P1 (23 Cal. Code Regs. 5012). Staff will present an updated Delta levee investment prioritization table and modified preliminary policy language based on new information and stakeholder input. More information on DLIS can be found on the Council's website at <https://deltacouncil.ca.gov/dlis/>.

11. **DELTA INDEPENDENT SCIENCE BOARD UPDATE (INFORMATION ITEM)**

Delta Independent Science Board (Delta ISB) Chair Dr. Stephen Brandt and past Chair Dr. Jay Lund will provide an update on the Delta ISB's activities, including a report on its latest thematic review on non-native species in the Delta. To help inform Council activities, the Delta ISB provides the Council with independent scientific advice on the Delta Plan and reports findings and recommendations from Delta ISB reviews of scientific activities that support adaptive management in the Delta. More information about the Delta ISB can be found on our website at <https://deltacouncil.ca.gov/delta-isb/>.

12. **PUBLIC COMMENT**

The public may comment on any topic not on the Council's agenda.

13. **PREPARATION FOR NEXT COUNCIL MEETING**

**ADJOURN**

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*NOTE: Should the Council complete its business under any agenda item, it will move on to the next agenda item. Should the Council complete its full agenda for a meeting day before the scheduled adjournment time, and no member of the public wishes to provide further testimony, the Council meeting will adjourn early.*

*Your comments are important to each member of the Council and staff.*

*Correspondence received by regular mail or email before 12:00 PM the day before a Council meeting will be distributed to members in advance of the meeting. Correspondence received after 12:00 PM will be distributed to the members at the start of the meeting or when received.*

*Members of the public shall be provided an opportunity to address the Delta Stewardship Council on any agenda item except closed session items and those items for which the public has already been afforded such an opportunity at an earlier meeting. Comments during the public comment period shall be limited to matters within the Council's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7).*

*If you need reasonable accommodation due to a disability, please contact Human Resources, Delta Stewardship Council by emailing [engage@deltacouncil.ca.gov](mailto:engage@deltacouncil.ca.gov) or calling (916) 445-5511, or TDD (800) 735-2929.*

*Additional information is available on the Delta Stewardship Council's website at <http://deltacouncil.ca.gov>. If you have any questions, please contact the Council Clerk at [engage@deltacouncil.ca.gov](mailto:engage@deltacouncil.ca.gov).*