



DRAFT

**SUMMARY: JUNE 24, 2021
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the July 15 and 16, 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, June 24, 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, Maria Mehranian, Don Nottoli, Christy Smith, Susan Tatayon, and Daniel Zingale.

3. CONSENT CALENDAR

Motion: Offered by Damrell, second by Zingale – Approve the Consent Calendar.

Vote: 7/0 - The vote was unanimous. 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=2021-06-24> minute 1:40

4. CHAIR'S REPORT (INFORMATION ITEM)

Chair Tatayon expressed her excitement to attend Delta Plan Interagency Implementation Committee Meeting on July 12 at 1 PM. California Department of Fish and Wildlife Director (CDFW) Chuck Bonham will moderate a panel on ecosystem-based management during drought. The panel will include CDFW Deputy Director Chad Dibble, Rosemary Hartman from the Department of Water Resources, and the Delta Watermaster Michael George. Committee members will also hear updates on Delta science activities including the Science Action Agenda, social science integration, and the 2019-2020 Delta Crosscut Budget Report.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-06-24> minute 02:51.

5. PUBLIC COMMENT

Dr. Alicia Thompson, Chief Scientist for Regional San, commented that Regional San closely follows the activities of the Delta Independent Science Board (Delta ISB) and has participated in surveys, meetings, interviews, and workshops. Regional San appreciates the role the Delta ISB has played in improving the quality of Delta science. Thompson advocated that the Delta ISB scientists be compensated in keeping with their level of expertise. Thompson encouraged the Council to resolve the funding issues as quickly as possible.

Dierdre Des Jardins, California Water Research, commented that the Delta ISB has been underfunded for almost a year and the current per diem rate is not adequate. Des Jardins advocated for more interim support during the completion of the Monitoring Enterprise Review as newly hired staff won't start until 2022. She noted that in March 2021, Delta ISB Chair Stephen Brandt asked the Council to extend those contracts to finish the review. Des Jardins notes that similar contracts have been extended but, the request from the Delta ISB has not been fulfilled. Des Jardins asked that the Council consider ways to offer support for more staff this year.

Councilmembers noted that they are aware of the urgency and severity of the issue and are taking all allowable measures to restore the Delta ISB funding.

Councilmember Zingale thanked the commenters for their participation.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-06-24> minute 05:13.

6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson reminded the public that the Council's physical office is closed. However, Council staff is working remotely to support physical distancing efforts. The public should contact hello@deltacouncil.ca.gov to be directed to the appropriate staff person for assistance. Additionally, the Council has changed its public meeting format to be fully remote in the interest of public health safety standards.

On June 21, the Council took an important step in the development of an Environmental Justice Issue Paper by convening an introductory meeting of experts surrounding environmental justice. Made up of individuals and organizations representing environmental justice communities, indigenous perspectives, individuals experiencing homelessness, subsistence fishers, and others with expertise related to environmental justice and Delta management, this group will help the Council gain an understanding

of how these communities would like to engage with the Council and discuss a research approach for the Issue Paper. If anyone is interested in providing insight on these perspectives, please contact environmentaljustice@deltacouncil.ca.gov. Councilmember Madueño attended the meeting and noted the importance of the work and the benefits to the Council and community.

Pearson gave an update on covered action certifications. Reclamation District 3 submitted a certification of consistency for the Grand Island Levee Seepage Cutoff Wall Project, and the project's public review and appeal period closed on May 26. In addition, the City of Fairfield submitted a certification of consistency for the Pacific Flyway Center Project, which had its public review and appeal period close on June 2. No appeals were received on either project.

Pearson noted that on June 18, Council staff released the Staff Draft Determination for the Lookout Slough Tidal Habitat Restoration and Flood Improvement Project, which can be found on the Project's covered action website. The determination hearing for the appeals has been scheduled for July 15-16 via Zoom. More information on the hearing process and schedule are available on the hearing notice released June 23.

Pearson welcomed Abbott Dutton as the new Assistant Deputy Executive Officer for External Affairs and Communications.

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

6c. Sacramento-San Joaquin Delta Conservancy Update

Campbell Ingram, Executive Officer of the Delta Conservancy (Conservancy), gave an update on the Conservancy's activities as they relate to the Delta Plan, including running two significant grant programs under Proposition 1 and Proposition 68. They are opening their fifth and final solicitation for Proposition 1 projects at the end of the month. There is approximately \$3 million in funding available and concept proposals are due at the end of August and full proposals are due mid-December. Decisions on the proposals will be made in early 2022. The Conservancy will be evaluating nine proposals for Proposition 68 to increase tourism, recreational access, and historical preservation. The Conservancy is also working on Delta subsidence, carbon issues, invasive species, , and related issues.

Bruce DiGennaro, with the Essex Partnership, gave an overview of an analysis that was jointly funded by the Delta Conservancy and the Council looking at juvenile salmonid habitat in the Delta, titled "Identifying Suitable Rearing Habitat for Chinook Salmon in the Sacramento-San Joaquin Delta." DiGennaro also discussed next steps given the studies' findings.

Chair Tatayon asked for public comment.

Public Comment

Diedre Des Jardins, California Water Research, commented on SB821. Des Jardins noted that the Delta ISB contracts can't start until 2022. Board members were promised a part-time salary and are currently being compensated instead with a \$100 per diem rate. Des Jardins also noted that she is not able to find the Council budget for 2021. She noted that the Council needs a better channel of communication as the legislation is resolved. Des Jardins also expressed concern that the Delta ISB members are slated to be compensated at a Research Specialist V rate but are not given the benefits and retirement that would come with that salary range. She advocated that there should be an increased rate of \$100 an hour. She also commented that there should be an agenda item dedicated to this bill in a future Council meeting.

6a. *Legal Update (Information Item)*

There was no Legal Update.

6b. *Legislative Update (Information Item)*

Ryan Stanbra, chief deputy executive officer, gave an overview of the current bill SB 821, which was recently amended on June 8, 2021. This bill would provide that members of the Delta Independent Science Board (Delta ISB) are not employees of the Delta Stewardship Council and would require the members of the board to exercise their scientific judgment and perform their functions independently from the council. Further, this bill would direct the Council to contract with the members of the ISB at an hourly rate equivalent to that of a Research Specialist V.

The Executive Officer's Report is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-06-24> minute 15:44.

7. LEAD SCIENTIST'S REPORT (INFORMATION ITEM)

Delta Lead Scientist Dr. Laurel Larsen presented a study by Cloern et al. (2021) regarding net primary productivity (NPP). This study used historical records with modern measurements and observations to reconstruct a historical baseline of the Delta-Bay landscape's NPP before major land developments and compares that NPP estimates. Additionally, projections of NPP using habitat restoration goals from the Delta Plan are created to measure possible NPP remediation through restoration efforts. Dr. Larsen also provided updates to the Science Action Agenda, including the release of the Draft Management Needs document and the upcoming Science Actions Workshop, both part of the update to the Science Action Agenda. Dr. Larsen also gave an overview of the By The Numbers Report.

Public Comment

Deirdre Des Jardins, California Water Research, commented that the Delta ISB wrote a letter to the Council in 2019-2020 about science in a time of rapid climate change, recommending the Council convene a panel of leading scientists. She noted that the Science Needs Assessment is being completed while the Delta ISB doesn't have adequate funding. Des Jardins commented that the Delta Science Program is a continuation of the CALFED Science Program and is designed to have independent peer review and oversight. She noted that a balance is needed, and the Council should find a way to fund it.

Osha Meserve, Local Agencies of the North Delta, noted the potential for loss of prolific agriculture in the Delta through ecological wetland restoration efforts. If eminent domain is used for these restoration projects, it could erode support for future projects. Meserve asks the Council to commit to not using eminent domain to move forward with restoration projects in the future.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-06-24> minute 56:57.

8. CONSIDERATION AND POSSIBLE APPROVAL OF THE DELTA SCIENCE PROGRAM RESEARCH AWARDS PURSUANT TO THE 2021 JOINT DELTA SCIENCE PROPOSAL SOLICITATION NOTICE (ACTION ITEM)

The Delta Science Program has selected 35 contract agreements for 16 research projects, totaling up to just over \$9.6 million, as part of the 2021 Joint Delta Science Proposal Solicitation Notice (PSN). This PSN is part of a collaborative science effort between the Delta Science Program and the U.S. Bureau of Reclamation (Reclamation), facilitated by California Sea Grant.

Dr. Laurel Larsen gave an overview of the history, present, and future of the funding and reach of the Delta Science Proposal Solicitation. Larsen also gave an overview of the Science Action Agenda areas.

Dr. Josh Israel, Reclamation, gave a presentation on the funding partnership and highlighted one of the grant recipients Dr. Alex Forest with the University of California, Davis.

Dylan Stern, program manager for science funding at the Council, gave a presentation on the timeline of the Delta Science Proposal Solicitation and the proposal review process.

Emily Ryznar, 2021 Sea Grant fellow, gave a presentation on the topic areas for the projects nominated for PSN funding.

Councilmembers commented on the importance and impressiveness of the presentations and proposals. Councilmember Mehranian inquired about how the research topics were chosen. Dr. Larsen elaborated that the applicants are responsible for coming up with topics that are in alignment with the Science Action Agenda items. Councilmember Madueño thanked Reclamation for their collaboration with the Council on this project.

Public Comment

Deirdre Des Jardins, California Water Research, commented that there should be transparency around the members of the review panels for the PSN process.

Motion: Offered by Mehranian, second by Nottoli

Vote: 7/0 - The vote was unanimous. The motion was adopted.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-06-24> minute 1:20:15.

9. CONSIDERATION AND POSSIBLE APPROVAL OF THE DELTA ADAPTS VULNERABILITY ASSESSMENT AND CALIFORNIA ENVIRONMENTAL QUALITY ACT EXPEMPTION
(ACTION ITEM)

Assistant Planning Director, Harriet Ross, gave a presentation on the Delta Adapts Vulnerability Assessment and California Environmental Quality Act Exemption. Ross reviewed stakeholder comments around the Delta Adapts in balancing land use and adaptation. Several requests were outside of the scope of the study but comments that could be incorporated were given additional discussion.

Councilmember Nottoli identified some gaps in the available information and offered his assistance in retrieving it in the future. Nottoli inquired if there was any evaluation on how private companies whose infrastructure is protected might fiscally contribute to the project. Councilmembers congratulated the team that worked on the Delta Adapts Vulnerability Assessment and noted their diligence for community involvement.

Public Comment

Osha Meserve, Local Agencies of the North Delta, commented that there is a clear track record of investments in Delta levees since the 1980s. Meserve is concerned that the baseline of the report doesn't reflect the investments already in place.

Motion: Offered by Damrell, second by Mehranian

Vote: 7/0 - The vote was unanimous. The motion was adopted.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-06-24> minute 1:55:40.

10. UPDATE ON THE DEPARTMENT OF WATER RESOURCES' 2021 EMERGENCY DROUGHT SALINITY BARRIER IN THE DELTA (INFORMATION ITEM)

Jacob McQuirk, operations and maintenance south Delta chief with the Department of Water Resources (DWR), provided a briefing on the Emergency Drought Salinity Barrier (Barrier) within the Delta. McQuirk reviewed the California drought conditions as well as the need for and expected benefits of the Barrier. McQuirk also gave an overview of the Temporary Urgency Change Petition along with the permits and authorizations that were given to implement the Barrier. The monitoring plan for biological changes during the placement of the drought barriers was also discussed. McQuirk outlined DWR's efforts for long-term planning through a 10-year standard permit to implement the West False River barrier twice within the permitted timeframe.

Councilmembers discussed the possible negative impacts from the Barrier's placement regarding aquatic weeds and the funding to address it. Lenny Grimaldo, assistant environmental director with DWR, discussed future plans to monitor the growth of aquatic weeds and supplementing the Department of Boating and Waterways budget if needed. The rock that is being used for the Barrier comes from the DWR Division of Flood Management Emergency Rock Storage Facility and will be returned before October 30, 2021 to prevent conflicting with any flood needs this winter. Councilmembers also discussed improving collaboration with the Council staff, incorporating landowners in the process, alternative barrier materials, and the possibility of keeping some of the rock in the channel if drought conditions persist.

Public Comment

Deirdre Des Jardins, California Water Research, commented that DWR is currently using historic runoff data to create a baseline that has proved inaccurate for previous models. She also noted that the Delta Smelt populations were driven almost to extinction by the salinity barrier during the 2013-2016 years and that implementing this barrier will lead to their extinction. She suggested an alternate reservoir strategy to address the climate change fluctuations and recommended consulting the Delta ISB in developing those changes.

Gilbert Cosio, MBK Engineers, commented that there was a lack of a united Delta voice during the 2015 salinity barrier implementation and that more collaborative communications are in place this year thanks to Delta Watermaster Michael George and his creation of an informal committee that included a variety of stakeholders.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2021-06-24> minute 2:27:00.

11. PREPARATION FOR NEXT COUNCIL MEETING

The next Council meeting is on July 15 and 16, 2021, via webinar.

The meeting adjourned at 12:20PM.

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