



DRAFT

**SUMMARY: FEBRUARY 24, 2022
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the March 24, 2022, meeting.

In accordance with Assembly Bill 361 (Government Code §11133) and the Governor's Executive Order N-1-22, 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 9:03 AM, February 24, 2022.

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, Christy Smith, Susan Tatayon, and Daniel Zingale.

Councilmember Nottoli arrived during item 3, Consent Calendar, and Councilmember Mehranian arrived during item 4, Chair's Report.

3. CONSENT CALENDAR

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

Vote: 4/0 - The motion was adopted (Madueno, Smith, Tatayon, Zingale - yes).

Motion: Offered by Smith, second by Madueño – Approve Resolution 2022-01.

Vote: 5/0 - The motion was adopted (Madueno, Nottoli, Smith, Tatayon, Zingale - yes).

The motion and vote are viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-02-24> minute 2:10

4. CHAIR'S REPORT (INFORMATION ITEM)

Chair Tatayon congratulated Councilmember Smith on her reappointment to the Council by the Senate Rules Committee. Special Assistant for Planning and Science Amanda Bohl updated the Council on the first meeting of the Delta Plan Interagency Implementation Committee's (DPIIC) Restoration Subcommittee.

Councilmembers discussed staff capacity and funding obstacles surrounding the DPIIC subcommittee. Bohl elaborated that finalizing the vision and a work plan over the next few months will establish how success is defined in the future and ensure that the subcommittee meets its purpose.

Public Comment

Dierdre Des Jardins commented that the Council's collaborative efforts are significant. Des Jardins noted that the Delta Independent Science Board (ISB) should be involved in the restoration subcommittee. She also commented that implementing network mapping could show how the restoration projects impact the work on the ground and Delta legacy communities.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-02-24> minute 4:20.

5. PUBLIC COMMENT

Dierdre Des Jardins, California Water Research, commented that the advisory group for the Delta Science and Funding Initiative needs more clarity regarding the creation of the body, and the meetings should be publicly noticed. She noted that she would be following up in writing.

The item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-02-24> minute 18:58.

6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)

Executive Officer Jessica Pearson gave an overview of the staff's proposal to revise the Council's Appeals and Procedures for covered actions. Council staff released a draft version of the proposed amendments on the Council's website on December 10, 2021, for a 90-day public comment period ending on March 7, 2022. Interested persons may view the proposed amendments on our website.

On December 30, 2021, the Department of Water Resources submitted a certification of consistency for the remanded portions of the Lookout Slough Tidal Habitat Restoration and Flood Improvement Project. The certification's public

review period closed on January 31, 2022. The Council received two appeals from the Solano County Water Agency and Liberty Island Access. The Council has moved forward with the appeals process. Current law requires the Council to conduct a hearing within 60 days of the filing of appeals and then decide on the appeals within 60 days of hearing the appeal. The hearing notice was released on February 17, 2022, identifying the March 24, 2022, Council meeting as the hearing date. It is anticipated that the Council will consider the determination during the April 28, 2022, Council meeting. That meeting may occur in-person with remote access consistent with applicable public meeting guidance and laws at that time. Future meeting dates and details will be noticed through the Council's website and listserv.

The West Sacramento Area Flood Control Agency submitted a certification of consistency on January 27, 2022, for their Yolo Bypass East Levee Project. The project seeks to reduce the overall flood risk to the City of West Sacramento by making structural modifications to segments of the Yolo Bypass East Levee. The U.S. Army Corps of Engineers proposes installing stability berms, replenishing waterside revetment (retaining wall/sandbags), reconstructing maintenance roads, and improving the levee drainage system. The project's public review and appeal period closes on February 28, 2022.

The Council has sent two comment letters since the January Council meeting. The first letter was to the California Department of Transportation regarding the Draft 2022 California Transportation Asset Management Plan (TAMP). The TAMP outlines the physical condition of key transportation assets throughout California, maximizes related resources, and manages their lifecycle. The letter from the Council encourages the Department to acknowledge the transportation assets at risk in the Delta due to sea-level rise and consider the Delta Adapts Vulnerability Assessment and Delta Levees Investment Strategy in its analysis. The letter also encourages the Department to engage with the Council to consider these issues and equity concerns.

The second comment letter was regarding the Notice of Preparation of a Draft Initial Study Mitigated Negative Declaration for Reclamation Districts 348's South Mokelumne River Setback Levee Project. The project seeks to improve the levees along the South Mokelumne River. The letter states that the project appears to be a covered action and raises relevant Delta Plan policies, encouraging the district to engage with the Council in early consultation on the project.

Pearson welcomed three new 2022 California Sea Grant fellows to the Council: Aaron Angel in the Planning Division, Allegra La Ferr in the Delta Science Program's

Adaptive Management Unit, and Tabitha Birdwell in the Delta Science Program's Collaborative Science and Peer Review Unit.

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

6a. Legal Update (Information Item)

Vera Bezdicek, Council's Legal Department, provided ex-parte communications prohibition information related to the Lookout Slough appeals. Council members and Council staff cannot and should not communicate about or discuss the Lookout Slough or the Council's appeal proceeding with any person outside of the Council. The only exception is communications regarding the administrative or procedural status of the proceedings. We have established a special email address to receive those types of communications:
lookoutsloughproject@deltacouncil.ca.gov

6b. Legislative Update (Information Item)

Chief Deputy Executive Officer Ryan Stanbra gave an overview of two Senate bills (SB) related to the Council. SB 1218 would require the Council, in consultation with relevant state and federal agencies and the public, to annually publish a water supply reliability estimation for water flows in the Delta and out of the Carquinez Strait in the San Francisco Bay. Council staff will further assess the bill and reach out to Senator Melissa Hurtado's office for more information.

SB 1219, also introduced by Senator Hurtado, would dissolve the State Water Resources Control Board and develop a Blue Ribbon Commission to establish a replacement agency by 2025.

Both bills must sit for 30 days before being heard by their respective policy committee.

Councilmembers requested information regarding the sponsors of the bills. Stanbra stated that the information is not known at this time.

Public Comment

Dierdre Des Jardins, California Water Research, commented that she had heard an ex parte prohibition against Delta Stewardship Council scientists discussing the Delta Conveyance project and inquired if the prohibition applied informally to all staff. If the prohibition had been raised, she also noted that it should be publicly disclosed.

Pearson replied that there is no ex parte in place regarding the Delta Conveyance Project at this time.

Councilmembers discussed the possibility of involving the Delta Independent Science Board (ISB) in the DPIIC Restoration Subcommittee. Bohl elaborated that she has been in constant communication with the Delta ISB board members, and they are working on how they can partner to support the subcommittee. Bohl also informed the Council that there is a plan to develop a biannual forum to engage local communities in discussion around the restoration projects. Councilmember Nottoli also noted the Commission's interest in participating in the community engagement process.

6c. Proposed 2022 Delta Stewardship Council Priorities (Information Item)

Pearson provided a high-level overview of the Council's 2022 priorities. Initiatives such as the Delta Levees Investment Strategy and the Ecosystem Amendment to the Delta Plan are set to be completed in 2022, while priority projects such as Delta Adapts, the Environmental Justice Issue Paper, and the 2022-2026 Science Action Agenda are all set to make significant progress. These priorities continue the agency's three primary objectives: Strengthen and Implement the Delta Plan, Build Capacity for our vision of the One Delta, One Science, and Strengthen Council Leadership and Communications.

Special Assistant for Planning and Science, Amanda Bohl, Deputy Executive Officer for Planning and Performance Jeff Henderson, and Deputy Executive Officer for Science Louise Conrad gave presentations on their respective division's 2022 objectives.

6d. Sacramento-San Joaquin Delta Conservancy and Delta Protection Commission Updates (Information Item)

Delta Protection Commission Executive Director Erik Vink and Sacramento-San Joaquin Delta Conservancy Executive Officer Campbell Ingram gave updates on their agency's activities and an overview of their 2022 priorities.

Vice-chair Madueño and Vink discussed various Delta signage and educational opportunities on Cal Trans highways and around Amtrak stations.

Councilmember Nottoli and Campbell discussed future funding and the potential for publishing a summary of the Delta Drought Response Program.

Chair Tatayon thanked the staff for their hard work in establishing the 2022 Priorities, which will have long-lasting effects on the Delta.

Public Comment

Dierdre Des Jardins, California Water Research, noted communication gaps between the Delta ISB and the Council's executive staff.

The Executive Officer's Report is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-02-24#> minute 22:02.

7. LEAD SCIENTIST'S REPORT (INFORMATION ITEM)

Delta Lead Scientist Dr. Laurel Larsen highlighted articles by previous Delta Science Fellowship recipients and discuss their research results and management implications. The articles highlighted featured findings from two Delta Science fellows investigating greenhouse gas emissions and carbon budgets of two estuary settings: agricultural peatlands and coastal wetlands. Their findings will help inform methods to sequester carbon while minimizing other greenhouse gas emissions and establish the potential role of Delta peatlands in statewide carbon markets. These studies are related to action area 1 of the 2017-2021 Science Action Agenda (Invest in assessing the human dimensions of natural resource management decisions) specifically, action A1B.

The Delta Science Program circulated the draft 2022-2026 Science Action Agenda (SAA) for public review, which closed on January 21, 2022. Many of the comments highlighted the need to better connect the prioritized Science Actions to relevant legislation, regulations, and existing efforts and suggested some minor revisions to the Science Actions themselves. Staff is currently revising the SAA in response to the comments received, and the final SAA is anticipated for Council endorsement by Spring 2022. To learn more, please visit <https://scienceactionagenda.deltacouncil.ca.gov> or email SAA@deltacouncil.ca.gov

Central to continuing the Council's social science integration efforts (<https://deltacouncil.ca.gov/social-science>), the Delta Science Program continues to support the building of a social science community of practice (CoP; <https://deltacouncil.ca.gov/bay-delta-social-science-community-of-practice>), which aims to bring together social science scholars, practitioners, and allies who are committed to advancing applicable and relevant research on the human dimensions of the Bay-Delta. The CoP Steering Committee met for the second time in January 2022 to learn about other social science network building within the U.S. Department of Interior and discuss goals for reconvening the full Bay-Delta social science CoP in the upcoming year.

Adapting Restoration for a Changing Climate, a two-day symposium that explored the short- and long-term climate change considerations of current restoration projects in the San Francisco Bay-Delta and elsewhere, took place on February 2-3, 2022. A full report-out of this event, including links to symposium talks and presentations, is available here: <https://www.youtube.com/watch?v=4ICJPdqzuBg>

Dr. Larsen gave an overview of the previous Delta Lead Scientist Ask Me Anything presentation. Archives of all sessions are available for viewing at the Council's Instagram page (@deltastewardshipcouncil).

The Delta Science Program is hosting a three-part brown bag webinar series on Delta governance. The series will foster discussion of the complex and multi-faceted governance of the Sacramento-San Joaquin Delta. Attendance is free with registration (https://us06web.zoom.us/webinar/register/WN_35B-vRhyR4umt_90WQJyJg).

The Interagency Ecological Program (IEP) Workshop is an informal event held each spring for sharing new research results that advance science important to IEP and the larger Delta science community. This year's planning committee has chosen to emphasize early-career scientists and managers within our community. The planning committee looks forward to discussions led by newer roles and hosting poster sessions, lightning talks, and a poetry slam. This year's workshop will be an all-virtual event platform, with further details coming soon. The 2022 IEP Workshop program can be found on the IEP website: <https://iep.ca.gov/Public-Engagement/Annual-IEP-Workshop>. The public may also sign up for future email workshop announcements at this site.

Please direct any questions to the Workshop Co-chairs, Steven Culberson (steve.culberson@deltacouncil.ca.gov) or Christine Joab (christine.joab@wildlife.ca.gov).

The Delta Science Program and California Sea Grant released a request for applications for the 2022 class of Delta Science Fellows at the end of January 2022. All applicants needed to submit a Notice of Intent by February 28th, and full applications are due in April 2022. Awards will be announced in June, and fellows will begin work in August/September 2022. The informational website for the fellowship and application materials can be accessed at <https://caseagrant.ucsd.edu/fellowships/delta-science-fellowship>.

Dr. Larsen reviewed the By the Numbers report.

Public Comment

Deirdre Des Jardins, California Water Research, noted a research paper evaluating changes in evapotranspiration, finding an increase across the western United States. Des Jardins noted that there should be transparency with the role of advisory groups in shaping the Science Action Agenda.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-02-24#> minute 1:27:37.

8. DEPARTMENT OF WATER RESOURCES' SETBACK LEVEE MONITORING PILOT PROJECT (INFORMATION ITEM)

Department of Water Resources (DWR) Senior Environmental Scientist Randy Mager provided a briefing on ongoing work with Cramer Fish Sciences exploring the effect of various waterside habitats on native fish species. Habitats investigated include setback levees on Sherman and Twitchell Islands, rock channels, and midstream environments.

The invention of the Aquatic Habitat Sampling Platform (AHSP) by Cramer Fish Sciences coupled with their developing expertise in eDNA detection and analysis allows for an opportunity to monitor complicated habitats such as intertidal marshes, vegetated levee benches, steep riprapped levee slopes, and highly vegetated areas without harm to sensitive aquatic organisms, or requiring an incidental take permit under Section 10 of the federal Endangered Species Act. DWR's work may provide critical information on best practices for improving waterside habitats for native fish species.

Councilmembers thanked Mager for his passion and discussed the funding timeline for future data collection. Mager elaborated that the AHSP provides data from previously inaccessible habitats.

Councilmember Nottoli and Mager discussed the variables that impact using eDNA to analyze fish populations in Delta habitats. The eDNA detects the presence of a species, but it's not possible to quantify their presence. Mager also elaborated that Delta smelt is one species that can be identified, and the water samples needed can be collected without utilizing the AHSP.

Chair Tatayon and Mager discussed the timeline for when the data from this project will start informing the design and location of setback levee projects.

Public Comment

Deirdre Des Jardins, California Water Research, noted concern about Cramer Fish Sciences as a laboratory partner for the state. Chair Tatayon and Mager responded that they have long-standing working relationships with Cramer Fish Sciences and have not seen the bias Des Jardins mentioned.

Gilbert Cosio asked if the eDNA data is at a point where it can assist scientists in their search for the Delta smelt. Mager responded that it should be a good tool for identifying the presence of Delta smelt and has the potential to illuminate other fish and algae species that are present during that sampling time.

The agenda item is viewable on the linked agenda at <https://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2022-02-24#> minute 1:53:54.

9. PREPARATION FOR THE NEXT COUNCIL MEETING

The next Council meeting is on March 24, 2022, via webinar.

The meeting adjourned at 11:53 AM.

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