



**DRAFT**

**SUMMARY: JUNE 22, 2023  
DELTA STEWARDSHIP COUNCIL MEETING**

For review and adoption by the Council at the July 27, 2023, meeting.

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

**MEETING SUMMARY**

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**1. WELCOME AND INTRODUCTIONS**

Chair Virginia Madueño called the meeting to order at 9:00 AM on June 22, 2023.

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

Roll call was taken, and a quorum was established. The following councilmembers were present: Burgis, Damrell, Hueso, Mehranian, and Madueño.

Councilmember Zingale joined the meeting virtually during agenda Item 5.

**3. PUBLIC COMMENT**

There was no public comment.

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

**a. Adoption of May 25, 2023, Meeting Summary**

Chair Madueño presented the agenda item for adopting the May 25, 2023, meeting summary.

**Motion** (approve the consent calendar): offered by Councilmember Hueso, seconded by Councilmember Burgis.

**Vote:** 5/0 - The motion was adopted (Burgis: Aye, Damrell: Aye, Hueso: Aye Mehranian: Aye, Madueño: Aye)

There was no public comment.

The agenda item is viewable on the linked agenda at <https://bit.ly/44cwH2i>, minute 00:02:13.

## **5. CHAIR'S REPORT (INFORMATION ITEM)**

Chair Madueño began with a report of her tour of Mormon Slough in the South Delta, organized by Restore the Delta. The tour highlighted key areas where restoration could take place. There was discussion of inequity and environmental justice issues and hazards of the area. The tour was attended by members of the community and city and county officials. Chair Madueño highlighted the homeless encampments along the Delta in this area and the challenges this community has faced after the winter storms, as well as her concerns about the health and safety of these individuals and the surrounding community. Chair Madueño ended with a reflection about the need for future restoration projects in this area.

Chair Madueño followed with a review of the Independent Science Board (ISB) Hydrology Tour. She shared lessons learned from the winter storms and the impacts on water quality, food webs, phytoplankton, and ecosystem metabolism. She expressed appreciation for the scientists on the tour and members of the ISB who shared their knowledge. Chair Madueño next shared information about the salinity barrier structure she saw on the tour.

Chair Madueño also mentioned her attendance at the Delta Adapts Stakeholder Workgroup Meeting and highlighted some of the feedback and discussions shared in the meeting.

Chair Madueño closed, extending an invitation to Councilmember Mehranian and Councilmember Hueso to join her on a future water tour.

Councilmember Mehranian and Chair Madueño discussed change in the South Delta, the importance of unity in the Delta, and hope for the Delta Stewardship Council to continue to foster those values in its work.

Councilmember Zingale joined the meeting during this agenda item.

There was no public comment.

The agenda item is viewable on the linked agenda at <https://bit.ly/44cwH2i>, minute 00:02:57.

## **6. EXECUTIVE OFFICER'S REPORT (INFORMATION ITEM)**

Executive Officer Jessica Pearson began with additional information on the Delta Adapts Stakeholder Workgroup Meeting held on June 6, 2023. The group is made up of technical experts, state and local government representatives, and community representatives. This group is intended to reflect a broad range of interests and provide input on the draft climate adaptation plan. The meeting was spent in breakout discussions to develop adaptive strategies to address risks identified through the Delta Adapts assessments. Pearson thanked Council staff for their work putting the meeting together and highlighted there will be an in-depth presentation by Council staff about the meeting at a future date.

Pearson reported on the one active covered action. The Department of Water Resources (DWR) submitted a certification of consistency for the Prospect Island Tidal Habitat Restoration Project. The project will add aquatic habitat and tidal wetlands through a range of activities, including levee repair work, dewatering, and adaptive management and monitoring. The 30-day review period will end on June 29, 2023. More information is available here:

<https://coveredactions.deltacouncil.ca.gov/?page=1>.

Pearson followed with a review of a comment letter Council staff submitted to the Metropolitan Water District of Southern California regarding their Bay-Delta policies updated at the end of last year. Council staff comments highlighted applicable Delta Plan regulatory requirements on reduced reliance, and recommendations for how water supplies can quantitatively demonstrate the reduced reliance.

Pearson highlighted tribal consultations related to Council activities. The Delta Science Program is seeking tribal feedback on the recently released draft of the Delta Research Proposal Solicitation. The Council's Delta Science Program is hoping to hear how to make the proposal solicitation more accessible and relevant to Tribes before the solicitation is issued, anticipated in the Fall of 2023. A tribal-only workshop on the draft notice was held last week, and the review period is open until July 21, 2023. Additionally, Council staff is seeking consultation with Tribes on the

development of the Environmental and Tribal Justice Issue Paper, prior to the release of the draft anticipated in the fall of 2023. Council staff is looking to gather feedback on issues and concerns relating to environmental and tribal justice regarding the management of the Delta and its watershed. This consultation period is open until August 7, 2023. Any Tribes wishing to consult on either of these issues should reach out to Brandon Chapin at [tribal.liason@deltacouncil.ca.gov](mailto:tribal.liason@deltacouncil.ca.gov).

Pearson welcomed and introduced the following new staff into their corresponding positions: Carlie Guadagnolo, Information Officer, Michael Geraghty, Science Contract Analyst, Sara Hostetter HR Manager, and Bree Montague, Regulatory Unit.

Finally, Pearson reviewed the Outreach Highlights Report and Active Projects List.

Councilmember Burgis expressed appreciation for Brandon Chapin's Cultural Humility Training he provided for Contra Costa County staff.

**a. Legal Update**

No legal update.

**b. Legislative Update (Action Item)**

Legislative and Policy Advisor Brandon Chapin provided a legislative update. Chapin began with a brief update concerning the trailer bill introduced as part of Governor Newsom's infrastructure package related to the Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act). The trailer bill, if passed, would make minor changes related to quorum requirements, statute of limitations, severability, and the timeframe for the Council's decisions on appeals. Chapin reported that various legislative policy committees held hearings on the entire infrastructure package (including the proposed Delta Reform Act trailer bill) during the week of June 5. Chapin highlighted the current budget process underway in the legislature, with negotiations between the governor and legislature surrounding a final budget package and infrastructure package still ongoing.

Councilmember Burgis discussed the trailer bill's proposed statute of limitations requirements and expressed concerns with the proposed quorum clarifications. Chair Madueño discussed the implications of the quorum requirements and the

importance of the trailer bill to the Council. Councilmember Mehranian and Chapin discussed the current prioritization of water projects under the CEQA streamlining portion of the governor's infrastructure package, and the process these projects go through for approval and prioritization. Councilmember Burgis discussed information she received from the Contra Costa Water District regarding water projects in the area, which would be unaffected by the current legislation. Chair Madueño also expressed interest in learning more about these priorities. Councilmember Zingale and Chapin discussed the use of trailer bills as the vehicle for these policy proposals.

Councilmember Hueso, Councilmember Mehranian, Councilmember Zingale, and Pearson discussed other similar state bodies' provisions regarding quorum rules, conflicts, and attendance in relation to the proposed changes in the trailer bill.

Chair Madueño and Pearson discussed new technologies to improve reduced reliance.

Chapin highlighted the end to the Bagley-Keene Act remote meeting provisions enacted due to the Covid-19 emergency, and highlighted that starting in July, all Councilmembers must join the meeting from a publicly noticed and accessible location. Chapin shared that there is a bill moving through the legislature concerning remote meeting requirements, which if passed, will go into effect in January.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/44cwH2i>, minute 00:12:59.

## **7. LEAD SCIENTIST REPORT (INFORMATION ITEM)**

Dr. Larsen began with a review of the conditions of El Niño and La Niña and highlighted the following article that further explores these conditions:

Fasullo, John T., Nan Rosenbloom, and Rebecca Buchholz. 2023. A multiyear tropical Pacific cooling response to recent Australian wildfires in CESM 2. *Science Advances* 9, eadg1213.

El Niño and La Niña are part of a natural climatic cycle, characterized by opposing patterns of cool and warm temperatures in the eastern and western Pacific that drive distinct patterns of atmospheric circulation. Typically, El Niño conditions, such as those forecast for the upcoming water year, bring wet conditions to California, whereas La Niña conditions tend to be associated with dry conditions. El Niño and La Niña are generally understood to be driven by natural and randomly occurring processes internal to the climate system—that is, they are not thought to be strongly influenced by climate change or other human activity. And because they are often triggered by random fluctuations (e.g., in air or ocean temperature, circulation), they cannot be well forecasted more than a year in advance, giving water managers little time to prepare for hydrologic extremes. There is one known exception to internal mechanisms dominating the El Niño/La Niña cycle: volcanic eruptions in the southern hemisphere.

Recognizing that wildfires, like volcanic eruptions, can contribute large loads of aerosols to the atmosphere, Fasullo and team developed and tested a hypothesis that the 2019-2020 wildfire season in Australia triggered the La Niña conditions that precipitated the 2020-2022 California drought. The hypothesis was grounded in the observation that aerosols in the southern hemisphere at the end of the fire season were four times the typical amount. To test their hypothesis, the researchers used a new Earth system model (the National Center for Atmospheric Research's Community Earth System Model version 2) that simulates several important aerosol processes that are not included in other Earth system models. They compared a set of "control" runs characterized by typical levels of aerosols with a set of "fire" runs in which aerosol inputs matched those measured by satellite during and following the 2019-2020 Australian fire season. They found that, relative to the control runs, the fire runs produced substantial ocean cooling capable of triggering La Niña. The cooling effect lasted for two years, commensurate with the 2020-2022 California drought. These models, however, do not explicitly simulate wildfires. Thus, more model development is needed to evaluate how the likelihood of fire-induced La Niña and California drought conditions will change over longer time periods and

under different emissions scenarios. Dr. Larsen hoped the research team would do a similar study on the effects of the recent Canadian wildfires.

This paper is relevant to the 2022-2026 Science Action Agenda's Management Need 6: Assess and anticipate impacts of climate change and extreme events to support successful adaptation strategies. Councilmember Burgis and Dr. Larsen discussed how California wildfires might affect other areas and the earth as a whole system, as well as a change in conditions that lead to wildfire and how wildfires are forecasted.

Dr. Larsen provided a brief report on the Delta Science Program (DSP) activities, focusing on some of the seminars and workshops. Dr. Larsen highlighted the Adaptive Management Forum, the recording on the forum is now available, and the second day of the forum is upcoming on June, 27. Dr. Larsen also provided an update on the seminar series hosted Delta Independent Science Board (ISB), with support from the DSP to explore concepts from decision-making under deep uncertainty and present tools that can help managers and stakeholders evaluate and plan for a wide range of plausible futures in the Sacramento-San Joaquin Delta. The series' second seminar was held on June 14, Robert Lempert, principal researcher at the RAND Corporation and director of the Frederick S. Pardee Center for Longer Range Global Policy and the Future Human Condition, presented examples of successful applications of tools for decision-making under deep uncertainty, and Andrew Schwarz, the State Water Project climate action coordinator for the CA Department of Water Resources, presented on his department's use of decision-making under deep uncertainty. The April seminar presentation is available to watch here: <https://www.youtube.com/watch?v=COB-As2SDeA> and the June seminar is available in the recording of the June 14 Delta ISB meeting.

Dr. Larsen next reported on the ongoing review panels; DSP is currently in the process of facilitating three independent scientific peer reviews: one for the Department of Water Resources (DWR) and two for the US Bureau of Reclamation (Reclamation), detailed below. Review materials and panel member bios are posted on the Council's peer review webpage here: <https://deltacouncil.ca.gov/delta-science-program/scientific-peer-review>.

Dr. Larsen highlighted the review of the State Water Project-Delivery Capacity Report. To provide essential information about the current and projected future water supply reliability, DWR issues a Delivery Capacity Report (DCR) every two years. The two-part review will evaluate two major changes to the data and methods used to model climate change-related conditions for the next DCR, due in December 2023. Each reviewer will prepare an individual review letter for each part of the review. Review work will occur during summer 2023, and review letters are expected to be available in fall 2023.

Dr. Larsen reported next on the Water Temperature Modeling Platform Peer Review Panel for Reclamation. Temperature management is a key parameter for the protection of species with specific cold-water needs and is one of the most complex subjects related to the Central Valley Project (CVP) operation. Reclamation has developed a Water Temperature Modeling Platform (WTMP), which comprises a set of modeling tools to assist resource managers of major CVP reservoirs with balancing water resources for downstream uses and temperature needs. An independent review Panel with five members from various backgrounds is reviewing the temperature models, model framework, and implementation of the WTMP Project. A public meeting for a mid-term review occurred July 2022, with a report to Reclamation in September 2022 (accessible at <https://bit.ly/44QsLEa>). The final review covers the application of the WTMP to a different set of tributaries within the CVP system than those covered by the mid-term review.

The last review Dr. Larsen highlighted was a review of Fish and Aquatic Effects Analysis, requested by Reclamation. The Fish and Aquatic Effects Analysis is a portion of the Environmental Impact Statement, a report mandated by the National Environmental Policy Act, that is being developed by Reclamation for the long-term operations (LTO) of the CVP and SWP. The intent of this review is to evaluate the approach and methods adopted by Reclamation to assess how the LTO affects the aquatic environment and the exposure, response, and risk to select ESA-listed species. The review process is anticipated to start in early fall, with the letter review to be available in late 2023.

Dr. Larsen closed with a brief discussion on the “By the Numbers” report.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/44cwH2i>, minute 00:46:48.

## **8. DELTA WATERMASTER UPDATE (INFORMATION ITEM)**

Delta Watermaster Jay Ziegler provided an update on science and Delta planning collaboration, 2022 water reporting, the Delta Alternative Compliance Plan (and its partners), the Delta Drought Response Pilot Program, water reporting history, Senate Bill 88, and the consortium participants.

Chair Madueño recognized Councilmember Hueso's contribution to Senate Bill 88 and provided a compliment to Ziegler for taking ownership of the Delta Watermaster position.

Chair Madueño, Councilmember Mehranian, and Ziegler discussed the impact of science on making good policy, disadvantaged communities (sea-level rise/flooding), social science, the Delta survey (interests and concerns), the collaboration of Delta stakeholders, and the financial investment of the central and south Delta water agencies before closing the agenda item.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/44cwH2i>, minute 01:12:26.

## **9. WILDFIRE PANEL PRESENTATION (INFORMATION ITEM)**

Delta Lead Scientist Laurel Larsen opened the agenda item by acknowledging the difficulty of putting together the panel and personally thanked the panelists for their participation, before handing it over to Program Manager Tricia Lee (Council Delta Science Program) for panel introductions.

Lee provided background on forest wildfire severity, frequency, and threat to the Delta, as well as Council actions that address wildfire(s) such as the 2021 Delta Adapts Climate Change Vulnerability Assessment, advancing interdisciplinary

research training, research on wildfire retardants, and the 2024 State of the Bay Delta Science feature on wildfire impacts before introducing the panelists.

Dr. Cliff Dahm, Professor Emeritus, University of New Mexico and former Delta Lead Scientist, presented on water quality effects from recent wildfires in California, the largest California wildfires (all in recent years), wildfire trends in California, variables affecting wildfire impacts on water quality, and fire temperatures increasing.

Phil Crader, Assistant Deputy Director for the Division of Water Quality, State Water Resources Control Board (Water Board), provided background on the Water Board, California's changing Climate, how wildfire can impact water quality, and how the Water Board is involved.

Dr. Teresa Feo, Senior Science Officer, California Council on Science and Technology (CCST), provided background on CCST's mission, partners, services, and wildfire projects.

Dr. Amelie Segarra, Assistant Project Scientist, UC Davis, provided information on post-drought wildfire retardant effects on salmonids, fire locations and periods, research objective 1: the lethal and sublethal effects assessment, and research objective 2: evaluating effects of weathered fire retardant on the early life stage of Chinook Salmon of Rainbow Trout to stimulate exposure in the environment.

Councilmember Burgis, Dr. Dahm, and Crader discussed sediment and dissolved oxygen (regarding fish kills), California river impacts, monitoring and assessing the conditions of California's water bodies, and focused projects dedicated to water quality, bark beetles, dying trees, impacts on housing, and wildfire smoke.

Chair Madueño thanked the panelists for their service and dedication. Chair Madueño asked Dr. Dahm about wildfires in the last couple of years and the correlation between the increased amount of turbidity in the Delta (the question went unanswered due to internet connection issues).

Chair Madueño and Crader discussed the correlation between the increased amount of harmful algal blooms and the increased volume of wildfires. Councilmember Mehranian, Crader, and Dr. Segarra discussed site contamination, differing types of fire retardants, contaminated equipment, exposure hazards to fire crews, and the chemical composition of fire retardants used in wildfires.

Chair Madueño closed with a highlight of Dr. Feo's upcoming Fall 2023 report on wildfire smoke and public health, before closing the agenda item.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/44cwH2i>, minute 01:35:58.

#### **10. SMITH CANAL PROGRESS UPDATE (INFORMATION ITEM)**

Deputy Executive Officer for Planning and Performance, Jeff Henderson, provided an overview of the November 2, 2018, San Joaquin Area Flood Control Agency's (SJAFA) certification of consistency with the Delta Plan for the Smith Canal Gate project, its appeal by the Atherton Cove Property Owners Association, and the Council's determination denying the appeal (Final Determination dated March 21, 2019). He then introduced presenters Executive Director of the San Joaquin Area Flood Control Agency, Chris Elias, and KSN Engineers' Chris Neudeck.

Neudeck provided an overview of the Smith Canal project (including the lower San Joaquin River Project, major improvements on the gate project, cellular floodwall progress (to date), miter gate foundation, temporary trestle, Dad's Point cutoff wall, and access road). He also provided an update on the remaining activities in progress for the project, in-water activities, project challenges, and project budget.

Chair Madueño, Councilmember Mehranian, Elias, and Neudeck discussed the technology used on the project, why it was used (seismic resistance and to keep the gate from sliding into the deep-water ship channel), if this technology had a precedent (Midwest and East Coast models), initial design, the intended lifespan of the structure, 200-year water level projection, the project budget, negative impacts, and the Lower San Joaquin River Project.

Executive Officer Jessica Pearson and Neudeck discussed public safety concerns regarding the construction period of the project posed by members of the public, the accuracy of the statements made during the presentation and from members of the community, augmented flood risk during the construction of the project beyond what can be mitigated, and similar gate construction(s) elsewhere (14-mile slew).

Chair Madueño and Neudeck discussed the aesthetics of the gate before Chair Madueño closed the item and thanked the presenters.

There was no public comment.

The item is viewable on the linked agenda at <https://bit.ly/44cwH2i>, minute 02:39:31.

#### **11. PREPARATION FOR THE NEXT COUNCIL MEETING**

The next Council meeting will take place on July 27 and 28. Please refer to the posted meeting notice 10 days before the meeting for further information or updates.

The meeting adjourned at 12:21 PM.

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