



DRAFT

SUMMARY APRIL 23, 2026

DELTA STEWARDSHIP COUNCIL MEETING

For review and adoption by the Council at the May 28, 2026, meeting.

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

MEETING SUMMARY

1. WELCOME AND INTRODUCTIONS

Chair Lee called the meeting to order at 9:04 AM on April 23, 2026, at the California Natural Resources Agency at 715 P Street, Room 2-221, Sacramento, California 95814.

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

Roll call was taken, and a quorum was established. The following Councilmembers were present in person: Burgis, Eggman, Mehranian, Miller, Patterson, Zingale, and Lee.

3. CONSIDERATION AND POSSIBLE ADOPTION OF A DETERMINATION ON APPEALS OF DEPARTMENT OF WATER RESOURCES CERTIFICATION OF CONSISTENCY NUMBER C20257 FOR THE DELTA CONVEYANCE PROJECT (RESOLUTION 2026-03) (ACTION ITEM)

The hearing was recorded by a certified court reporter. Final transcripts could be purchased directly from Regal Court Reporting. Their telephone number is (866) 228-2685. The video recording is available on the Council's YouTube channel. (www.youtube.com/@DeltaCouncil), along with an archive of meetings and workshops hosted by the Council.

Chair Lee provided an outline of the schedule for the day's meeting.

Councilmember Burgis provided a statement of her neutrality in this matter and outlined the steps she took to ensure this.

Chair Lee introduced Jeff Henderson, deputy director of planning and performance, for the staff presentation on the draft determination. Henderson began by thanking all the staff who worked on this project and providing an overview of the Appeal Process for Certification C20257 for the Delta Conveyance Project, the draft decision, and the staff recommendation. Henderson provided an overview of key provisions of the 2009 Sacramento- San Joaquin Delta Reform Act, which establish the Council's covered action authority and the Certification of Consistency and appeal process including the substantial evidence standard of review. Next, Henderson provided a brief description of the Delta Conveyance Project, the Certification of Consistency for the project, and the appeals received for the Certification of Consistency and the associated Delta Plan policies. Henderson reviewed the types of recommended findings the Council can make and provided a high level overview of Council staff's recommended findings in the draft decision. Henderson next provided a more thorough review of staff recommendations to remand the certification in part as it relates to specific appeal issues under Delta Plan policies ER P5 (Invasive Nonnative Species), issue related to golden mussel, and DP P2 (Respect Local Land Use), issue related to the County of Sacramento Harvest Water Program. Henderson next reviewed the appealed Delta Plan Policies that were recommended for denial because they do not apply to the project, G P1(b)(1) (Coequal Goals), DP P1 (Locate New Urban Development Wisely), RR P1 (Prioritization of Levee Investments), and RR P3 (Protect Floodways).

Next, Henderson reviewed the appealed Delta Plan Policies that were recommended for denial for failure of the Appellants to demonstrate their claims were supported by substantial evidence in the record, including G P1(b)(2) (Mitigation Measures), G P1 (b)(3) (Best Available Science, G P1 (b)(4) (Adaptive Management), WR P1 (Reduce Reliance on the Delta Through Improved Regional Water Self-Reliance), ER P 1 (Delta Flow Objectives), ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore Habitat), and ER P4 (Expand Floodplains and Riparian Habitat in Levee Projects). Henderson next outlined the elements of a proposed Annual Implementation Report requirement

for DWR in the Draft Decision, and closed with the staff recommendation to adopt Resolution 2026-03 to adopt draft Decision D20257.

Chair Lee outlined the schedule for the remainder of the day and the meeting took a short break.

Councilmember Patterson thanked staff for their work during the appeal process, Henderson and Patterson discussed the need and justification for the Annual Implementation Report, and the scope and nature of GP 1(b)(3) (Best Available Science) as it relates to the Delta Conveyance Project. Councilmember Zingale and Henderson discussed recommendations for topics to include in the Annual Implementation Report as a response to the discussions that took place at the appeal hearing in February. Councilmember Eggman and Henderson also discussed the benefit of the Annual Implementation Report. Councilmember Mehranian and Henderson discussed the potential and proposed topics of the Annual Implementation Report and Councilmember Mehranian and Chief Counsel, Jorge Aguilar, discussed substantial evidence.

Councilmember Burgis discussed the framework and timeline of the appeal process, Henderson and Councilmember Burgis discussed the outreach efforts of the Delta Conveyance Project, DP P2, and the Annual Implementation Report. Councilmember Burgis commented on the public comments regarding land use and cultural sites, the appeals process, and substantial evidence. Councilmember Burgis and Aguilar discussed the timing of the release of the draft Decision, and the regulatory framework of the process. Councilmember Burgis and Henderson discussed the staff recommendation for DP P2, the Department of Water Resources' findings in the Certification of Consistency, and the disputes about the modeling used in the Certification. Councilmember Miller, Councilmember Zingale, and Henderson discussed ER P1, the Council's and Water Board's authority and the timeline of each of the agencies' processes related to the Delta Conveyance Project. Councilmember Miller and Executive Officer Jessica Pearson discussed the Annual Implementation Report, and the process for adopting and amending the Report. Chair Lee and Henderson discussed the Change in Point of Diversion permit process.

The meeting took a short break and returned for public comment.

Public Comments were received by the following individuals.

Esperanza Vielma, on behalf of the Mayor of Stockton, Duane Martin, Martin Livestock, Amanda Bohl, Delta Protection Commission, Bryan Young, Sacramento Area Sewer District, Emily Pappalardo, Pear Fair, Steamboat Resort, & Tule Engineering, Dante Nomellini Jr., South Delta Water Agency, Jennifer Pierre, State Water Contractors, Beth Olhasso, Inland Empire Utilities Agency, Municipal Water District of Orange County, Lisa Kirchoff, Carrie Buckman, Department of Water Resources, Gia Morena, Secretary of Hood Community Council, Kelley Taber, Sacramento County, Sacramento County Water Agency, SacSewer, City of Stockton, Osha Meserve, counties of San Joaquin, Solano, Yolo County, Central Delta Water Agency, and Local Agencies of the North Delta, Tom Slater, Delta Protection Commission, Taneicia Herring, NAACP CA/HI, Adam Borchard, North Delta Water Agency, Eric Buescher, San Francisco Baykeeper, Christie Ralston, San Francisco Baykeeper, Barbara Barrigan-Parrilla, Restore the Delta, Antonio Alfaro, Kyle Griffith, Morgen Snyder, Restore the Delta, Cintia Cortez, Restore the Delta, Molly Culton, Sierra Club California, Carole Mahoney, Zone 7 Water Agency, Nikcole Whipple, Save California Salmon, Maureen Martin, Metropolitan Water District, Lance Eckhart.

The Council adjourned for lunch and returned for final discussion and deliberations.

Councilmember Burgis, Councilmember Patterson, and Aguilar discussed the timing of the release of the Draft Decision and the legal requirements associated with the timing of the Decision. Councilmember Eggman and Henderson discussed the Coequal goals and Delta as Place embedded into the Delta Plan Policies. Councilmember Zingale and Henderson discussed the residents of Hood and DP P2. Councilmember Mehranian and Henderson clarified the requirements of DP P2. Councilmember Burgis reviewed the requests brought by the Delta Protection Commission and discussed when they could be considered. Councilmember Burgis, Henderson, and Aguilar discussed the Reduced Reliance claims brought by the Appellants, the golden mussel, Colorado River reliability, WR P1, Tribal and community engagement, Delta as place, the appeal process, and mitigation measures during the construction period for the Delta Conveyance Project. Councilmember Zingale and Henderson discussed the Community of Hood's eligibility for community benefits and ombudsman program, and further analysis

from the Department of Water Resources. Councilmember Mehranian and Henderson discussed the Delta Conveyance Project's Program Environmental Impact Report. Councilmember Patterson and Aguilar discussed GP 1 (b)(3), Councilmember Patterson and Henderson discussed the language and interpretation of DP P2. Councilmember Patterson, Henderson, and Eva Bush, environmental program manager, discussed the Harvest Water project and the Sandhill Crane Habitat. Councilmember Patterson, Aguilar, and Henderson discussed specific regulation language of DP P2 discussed in a comment letter from the Department of Water Resources sent on April 22. Councilmember Burgis, Henderson, and Aguilar discussed language relating to resolving conflicts and mitigation measures, Councilmember Burgis, Henderson, and Pearson discussed the coequal goals and Delta as Place. Councilmember Patterson expressed gratitude for Council staff and members of the public who participated in this process. Councilmember Miller, Henderson, and Pearson discussed the denied appeals on WR P1, Urban and Agricultural Water Managements Plans and how water suppliers reduce reliance and establish regional self-reliance. Chair Lee, Henderson, and Aguilar clarified the possibility of an amendment to clarify language in the draft decision regarding the language of DP P2 in the draft decision. Councilmember Mehranian and Henderson discussed the Community of Hood as it appears in the Program EIR.

Chair Lee closed the questions and opened the floor to deliberate on the draft decision. Councilmember Burgis and Amanda Bohl, Executive Director of the Delta Protection Commission, who returned to the public comment podium, discussed requests from the Delta Protection Commission (DPC) concerning the draft decision that are outlined in a letter sent by the DPC. Councilmember Burgis, Pearson, Aguilar, and Councilmember Patterson discussed the DPC request specifically the role of the DPC in the appeal process. Councilmember Zingale, Councilmember Patterson, and Pearson clarified how and when the content of the Annual Implementation Report will be decided on and modified. Councilmember Burgis discussed the nature and impact of the Delta Conveyance Project, the draft decision and her position. Councilmember Eggman and Aguilar discussed the scope of the project and appeal process. Councilmember Burgis discussed the makeup of the Delta Stewardship Council and need for additional members. Councilmember Mehranian and Councilmember Eggman summarized the process and discussion and the draft decision. Chair Lee called for a motion to adopt Resolution 2026-03, Councilmember Burgis raised the question if parts of the Resolution can be voted

on separately, Chair Lee outlined that the Resolution does not separate the three recommendations and wanted to see if there was a motion on the Resolution as is, before entertaining separate motions.

Motion (Adopt Resolution 2026-03): offered by Councilmember Miller, seconded by Councilmember Eggman.

Councilmember Burgis and Aguilar discussed the separate motion.

Henderson, Councilmember Miller, Pearson, and Aguilar discussed the changes staff should make to the decision regarding Councilmember Patterson's question about the regulation language of DP P2. After discussion, no changes were made to the Resolution because the Resolution allowed for Council staff to make non-substantive changes to the draft decision.

Councilmember Patterson, Aguilar, Councilmember Miller and Councilmember Burgis returned to the discussion of making a substitute motion of voting on the Resolution in three parts. Chair Lee called for a motion to vote on a substitute motion, Councilmember Burgis outlined the substitute motion, which included voting on the three staff recommendations separately, Councilmember Patterson asked for a clarification on what that means for the voting process. Aguilar recommended to Councilmember Burgis she could verbally state which parts of the decision she supports during the vote to Adopt Resolution 2026-03. Chair Lee and Councilmember Burgis agree that Councilmember Burgis will withdraw her substitute motion and state what she supports in the decision during her vote. Chair Lee clarified that the vote would be on the original motion (adopt Resolution 2026-03, offered by Councilmember Miller, seconded by Councilmember Eggman).

Vote: 6/1 (motion by Councilmember Miller to adopt Resolution 2026-03) The motion was adopted (Burgis: Nay, Eggman: Aye, Lee: Aye, Mehranian: Aye, Miller: Aye Patterson: Aye, Zingale: Aye)

Chair Lee and Aguilar discussed next steps, Chair Lee announced the ex parte restriction was lifted and thanked staff for all their work.

The agenda item is viewable on the linked agenda at rebrand.ly/qxlbmtb, minute 00:04:27.

4. PREPARATION FOR NEXT COUNCIL MEETING

The next Council meeting will take place on May 28, 2026. Please refer to the posted meeting notice 10 days before the meeting for further information or updates.

The meeting was adjourned at 2:58 p.m.

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