January 21, 2021

Honorable Gavin Newsom, Governor of California
Honorable Members, California State Legislature
State Capitol
Sacramento, CA 95814


Dear Governor Newsom,

Pursuant to the provisions of Public Resources Code § 29780, I am proud to submit the 2020 Delta Protection Commission Annual Report for your review.

The Commission and its dedicated staff made great strides towards the protection, maintenance, enhancement, and enrichment of the overall quality of the Delta environment and economy.

It is our mission to support agriculture, recreation, cultural heritage, and natural resources in the Delta. We continue our dedication to that mission through the ongoing advancement of our Strategic Plan (Vision 2030) while being adaptable to emerging challenges and opportunities.

A very special thank you to Yolo County Supervisor Oscar Villegas who stepped down as Commission Chair at the start of 2021 after completing his two-year term.

As the new Chair, and with full support by all the Commission members, it is an honor to offer you the Delta Protection Commission Action 2020.

Sincerely,

Don Nottoli
Chair
Background

The Delta Protection Act was adopted by the Legislature in 1992 and last amended in 2009. The Delta Protection Act declares that the Sacramento-San Joaquin Delta is “a natural resource of statewide, national, and international significance, containing irreplaceable resources, and that it is the policy of the State to recognize, preserve, and protect those resources of the Delta for the use and enjoyment of current and future generations.”

The Delta Protection Commission was created under the 1992 Act to recognize and protect the unique cultural, recreational, natural, and agricultural resources of the Delta, and the 2009 amendments to the Act further defined it as “the appropriate agency to identify and provide recommendations to the Delta Stewardship Council on methods of preserving the Delta as an evolving place.” With this mandate, the Commission focuses on the oversight of Delta land use and resource management, levees and emergency response, the support of Delta agriculture, recreation, tourism and local economic development, and the protection of Delta historic, cultural, and natural resources.

The fifteen members of the Commission include a member of the County Board of Supervisors from each of the five Delta counties (Contra Costa, Sacramento, San Joaquin, Solano, and Yolo); three elected city council members representing cities throughout the Delta; representatives from North, Central, and South Delta Reclamation Districts; and representatives from the California State Transportation Agency, California Natural Resources Agency, California Department of Food and Agriculture, and California State Lands Commission. Two ex-officio members represent the California State Senate and the California State Assembly.

As required by Public Resources Code § 29780, each year the Commission submits to the Governor and the State Legislature this Annual Report, describing the progress Commission actions have made towards fulfilling the requirements of the Delta Protection Act.
2020 Actions

Land & Water

- Commission staff reviewed hundreds of local and regional land use projects for consistency with the Land Use and Resource Management Plan and sent comment letters on twelve land use projects, detailed on pages 5 through 8.
- Commission staff closely monitored activities related to Department of Water Resources’ (DWR) Delta Conveyance Project (Delta tunnel), including:
  - Delta Conveyance Design and Construction Authority’s (DCA) engineering analysis as presented in monthly Stakeholder Engagement Committee and DCA Board meetings.
  - Delta tunnel environmental review process, providing detailed comments on DWR’s Notice of Preparation (NOP) for a new Environmental Impact Report (EIR).
  - U.S. Army Corps of Engineer’s (Corps) National Environmental Policy Act process, providing comments on the Notice of Intent (NOI) for a new Environmental Impact Statement (EIS).
  - In coordination with local historic and cultural resource experts, working with the Corps as a consulting party to provide information and references on Delta cultural landscape elements to inform a proposed Programmatic Agreement under Section 106 of the National Heritage Preservation Act.
- Commission staff made comments on the draft Governor’s Water Resilience Portfolio.
- Commission staff convened the Delta as Place Interagency Working Group, a quarterly forum to highlight initiatives of local governments, special districts and state agencies to accomplish “Delta as Place” recommendations in the Delta Plan.

Regional Economy

- Commission staff released the update to the Agricultural Chapter of the Economic Sustainability Plan (ESP). The update included three reports: (1) The State of Delta Agriculture: Economic Impact, Conservation and Trends, (2) Salinity and Crop Choice in the Sacramento-San Joaquin Delta, and (3) Climate Change Vulnerability in the Sacramento-San Joaquin Delta: Agriculture and Levee Impacts.
- Commission staff oversaw completion and release of the Draft Recreation and Tourism chapter update to the ESP, including interviews with five focus groups and presentations to various Delta interests.
- Commission staff completed the Delta Community Design Study project, including community stakeholder meetings and a full-day workshop.
Heritage

- Commission staff engaged in various efforts related to the Sacramento-San Joaquin Delta National Heritage Area (Delta NHA), including:
  - Delta NHA Management Plan kick-off with contract assistance from Point Heritage Development Consulting and California State Parks.
  - The 3rd Annual Delta Heritage Forum attended by more than one hundred participants and 14 presenters.
  - Creation of the Delta NHA Management Plan Advisory Committee with 15 volunteer members and five ex-officio members.

Recreation & Tourism

- Commission staff continued the promotion and development of the Great California Delta Trail (Delta Trail), organizing a joint meeting for the Delta Trail Technical Advisory Committee and Stakeholder Advisory Committee to review next steps toward a Master Plan.
- Commission staff led projects related to the Delta Tourism Awareness 5-Year Marketing Plan, including:
  - Promotion of the Delta on the Visit CA Delta website which saw a 72% increase in pageviews from the prior year, and on Facebook, Twitter, and Instagram.
  - The 4th annual “Best of the Delta” survey which saw a 25% increase in participation.

Outreach & Education

- Commission staff continued their consistent efforts to share information with the public across multiple channels, including:
  - The release of a revised and streamlined Commission website.
  - Regular posts to the Commission’s Facebook, Twitter, and Instagram.
  - 82 listserve emails, including the weekly Delta Happenings and month Delta Heritage Courier.
  - Four quarterly Delta Voice newsletters.
- The Delta Leadership Program graduated 19 diverse participants representing an array of interests throughout the Delta.
- Delta Flood Preparedness Week was October 17 to 24, in coordination with the overall state efforts of California Flood Preparedness Week. Commission staff developed:
  - An extensive social media campaign, including the Commission’s first-ever video production.
  - The 2021 Delta Flood Preparedness calendar mailed to 5,234 residential addresses. Funding for printing was shared with DWR.
Multi-County

Delta Conveyance - (DWR)
Notice of Preparation for Environmental Impact Report
Authority: Non-jurisdictional project that may affect Delta resources
Zone: Primary/Secondary
Comments: EIR must take into account Delta as Place concerns based on foundational principles: Protect Delta water, improve levees and reduce reliance on exports, listen to Delta people, protect people as well as wildlife, treat us as well as other Californians, use the best science, be readable, and don’t make the Delta pay. Tunnel will irreversibly damage Delta agriculture, recreation, cultural, and natural resources. Letter identifies potential impacts, offers alternatives and effective and feasible mitigation measures for consideration, and reaffirms position that previously ill-defined impacts must now receive attention they require.
Project Size: Eastern and Central Corridors identified in DWR’s NOP.
Farmland Conversion: Unknown but as proposed, significant and unavoidable

Delta Conveyance (Corps)
Notice of Intent for Environmental Impact Study (EIS)
Authority: Non-jurisdictional project that may affect Delta resources
Zone: Primary/Secondary
Comments: EIS should explicitly identify how impacts to entire project area and project operation would be assessed, by what agency, and when. Tunnel will irreversibly damage Delta agriculture, recreation, cultural, and natural resources. Letter presents assessment of potential impacts, offers alternatives and effective and feasible mitigation measures for consideration, and reaffirms position that previously ill-defined impacts must now receive attention they require.
Project Size: Eastern and Central Corridors identified in DWR’s NOP and Corps’ NOI.
Farmland Conversion: Unknown, but as proposed significant.

Soil Investigations for Data Collection in the Delta
Overwater and land-based soil tests and surveys in various Delta locations
Authority: Non-jurisdictional project that may affect Delta resources; Delta as Place
Zone: Delta-wide
Comments: Recommend that project comply with local regulatory requirements. Strengthen traffic impact mitigation. Consider scheduling concerns and advanced public notice.
Project Size: Multiple locations along the Eastern and Central Corridors identified in DWR’s NOP, depending on property owner permissions.
Farmland Conversion: Not applicable
Multi-County (Continued)

**Plan Bay Area 2050**
Long-range regional plan for transportation, housing, economy, and environment for Bay Area
Authority: Jurisdictional project; Delta Trail
Zone: Primary/Secondary
Comments: Encourage EIR to consider LURMP when assessing Project’s consistency with applicable land use plans, policies, and regulations and to discuss Delta Trail in recreation and transportation section.
Project Size: Legal Delta portions of Solano, Contra Costa, Alameda counties
Farmland Conversion: Not applicable

Sacramento County

**Grand Island Levee Erosion Repair Project**
Repair of approximately 1,700 linear feet of levee; west side of Grand Island
Authority: Non-jurisdictional project that may affect Delta resources
Zone: Primary
Comments: Support projects that provide flood protection and stability for Delta levee system.
Project Size: 1.5 acres
Farmland Conversion: None

**Locke Water Works Company Water Line Intertie Project**
Construction of new drinking water transmission pipeline Locke to Walnut Grove
Authority: Non-jurisdictional project that may affect Delta resources
Zone: Primary
Comments: Support projects that provide needed water infrastructure for Delta communities. Urge review of compliance with LURMP policies. Encourage installation of broadband conduit during construction.
Project Size: 5.4 acres
Farmland Conversion: None

**Oxbow Wireless Communication Facility**
Use permit amendment to allow existing 82-foot-tall monopole to be used as permanent facility
Authority: Non-jurisdictional project that may affect Delta resources
Zone: Secondary
Comments: Support projects that provide permanent wireless access within rural areas of Delta. Appreciate efforts to review Project for consistency with LURMP.
Project Size: 25 acres
Farmland Conversion: <1 acre
Contra Costa County

**Oakley Logistics Center**
Demolition of existing structures and construction of seven light industrial buildings

**Authority:** Great California Delta Trail  
**Zone:** Secondary  
**Comments:** Encourage implementation of general plan and recreational master plan and inclusion of trail easement and planning for trail construction.

**Project Size:** 143 acres  
**Farmland Conversion:** None

**SBA Monarch Towers Land Use Permit**
Permit renewal for continued operation of T-Mobile equipment on existing tower

**Authority:** Non-jurisdictional project that may affect Delta resources  
**Zone:** Primary  
**Comments:** Support broadband projects that provide internet connection in rural areas of Delta, especially for continued operation of existing facility.

**Project Size:** 2 acres  
**Farmland Conversion:** None

San Joaquin County

**Development Title Text Amendment**
Revisions include updated language for agricultural mitigation

**Authority:** Jurisdictional project  
**Zone:** Primary/Secondary  
**Comments:** Generally support revisions clarifying mitigation ratio and conservation easement process. Concerned about removal of term “in perpetuity” regarding conservation easements.

**Project Size:** County-wide  
**Farmland Conversion:** Unknown

**Potato Slough Bridge Bearing Pads Replacement**
Replacement of failed bearings on State Highway 12 bridge.

**Authority:** Non-jurisdictional project that may affect Delta resources  
**Zone:** Primary  
**Comments:** Support needed bridge and roadway maintenance. Encourage maximum coordination between districts regarding maintenance work delays.

**Project Size:** 12 acres  
**Farmland Conversion:** Not applicable
Solano County

**Lookout Slough Tidal Habitat Restoration and Flood Improvement Project**

Restoration of approximately 3,400 acres of tidal wetland

**Authority:** Non-jurisdictional project that may affect Delta resources

**Zone:** Primary

**Draft EIR Comments:** DWR utilizing appropriate mechanisms for farmland loss. Need to address loss of informal bank fishing access. Recommend use of Good Neighbor Checklist and mitigation measures that require post-construction monitoring and remediation.

**Section 408 Comments:** Analysis should address permanent loss of flood storage capacity. Concern that changes to flood flow and conveyance could potentially increase flood risk.

**Project Size:** Approx. 3,400 acres

**Farmland Conversion:** Approx. 1,500 acres of irrigated pasture
2020 Membership

Commissioners

Oscar Villegas, Chair
Supervisor, Yolo County

Don Nottoli, Vice Chair
Supervisor, Sacramento County

Chuck Winn
Supervisor, San Joaquin County

Diane Burgis
Supervisor, Contra Costa County

Skip Thomson
Supervisor, Solano County

Michael Krieg
Councilmember, City of Oakley

Christopher Cabaldon
Mayor, City of West Sacramento

Alan Nakanishi
Councilmember, City of Lodi

James Paroli
Representative, Central Delta Reclamation Districts

Justin van Loben Sels
Representative, North Delta Reclamation Districts

Nick Mussi
Representative, South Delta Reclamation Districts

David Kim
Secretary, California State Transportation Agency

Karen Ross
Secretary, California Department of Food and Agriculture

Wade Crowfoot
Secretary, California Natural Resources Agency

Brian Bugsch
Chief, Land Management Division, California State Lands Commission

Ex Officio Members

Honorable Cathleen Galgiani
California State Senate

Honorable Jim Frazier
California State Assembly

Commission Staff

Erik Vink
Executive Director

Natasha Nelson
Assistant Executive Director

Virginia Gardiner
Program Manager

Melinda Dorin
Program Manager

Blake Roberts
Program Manager

Jeremy Terhune
Associate Environmental Planner

Stacy Hayden
Information Officer

Sis Hendrix
Clerk to the Commission

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