

Delta Protection Advisory Committee Charter

First Adopted: Aug. 26, 2010

Revised: Jan. 23, 2014; May 19, 2016; Sept. 19, 2019; March 17, 2022; and Sept. 21, 2023

I. Official Designation

Delta Protection Advisory Committee (DPAC) is created and appointed pursuant to Section 29753 of the Public Resources Code.

II. Scope and Objectives

The purpose of the DPAC is to provide recommendations to the Delta Protection Commission (DPC) regarding the diverse interests within the Delta.

III. Description of Duties

DPAC will provide recommendations to the DPC relating to the following (not necessarily in priority order):

- A. Delta's ecosystem;
- B. Water Supply;
- C. Socioeconomic sustainability;
- D. Recreation;
- E. Tourism;
- F. Agriculture;
- G. Flood Control;
- H. Environment;
- I. Water Resources;
- J. State, Local, and Utility Infrastructure;
- K. Delta Values (e.g. Public Res. Code section 29702(a) and Water Code section 85054); and
- L. Other Delta Issues

The DPAC will provide its advice based upon input from and cooperation with other stakeholders and existing organizations addressing Delta issues.

IV. Duration

The DPAC has no sunset provision and is expected to operate indefinitely. However, the DPC may review and revise this charter when necessary, pursuant to a public discussion and vote on proposed revisions.

V. Committee Reporting

The DPAC, via its Chair or designee, shall report directly to the DPC. Communication from the DPAC may include oral updates provided at DPC meetings and/or written recommendations which include specific suggestions, proposals, projects, and/or action items as well as recommended positions (including minority positions) on specific issues, projects, or plans affecting the Delta.

VI. Agency Responsibilities for Providing Necessary Support

All staff and support functions required for the operation of the DPAC will be supplied by the DPC as determined by the Chair of the DPC.

VII. Operating Support

Support for the operation of the DPAC will rely on existing DPC staff and resources, until such time as the State may allocate additional funds for the operation of the DPAC.

VIII. Allowances for Committee Members

Members of the DPAC and its sub-committees will serve without pay.

IX. Committee Voting Membership and Terms

DPAC will consist of no more than 17 voting members appointed by the DPC. As the DPAC is the voice of Delta residents and businesses, the categories of membership are as follows:

- 11 members representing Delta residents and businesses - 2 business representatives, 2 agricultural representatives, 2 recreational representatives, 1 flood entity representative, 1 Delta cultural preservation entity representative, 1 Delta organization representative, and 2 members of the general public;
- 2 members representing state agencies (preferably California Department of Fish and Wildlife and California Department of Parks and Recreation);
- 1 member representing a non-governmental conservation/habitat restoration organization with involvement in the Delta;
- 1 member representing an entity involved with Delta water exports;
- 1 member representing a utility or other related infrastructure that crosses through the Delta.
- 1 member who is a member of or represents a tribe with historic connections to the Delta.

DPC will make 5 to 7 three-year appointments annually, according to the following schedule. DPC can also act at any time to fill a vacancy on DPAC.

May 2024: Delta Business (Seat 2), Delta Agriculture (Seat 2), Delta Recreation (Seat 2), Delta Cultural Preservation, State Agency (Seat 2)

May 2025: Delta Business (Seat 1), Delta General Public (Seat 1), Delta Flood Entity, Delta Conservation/Habitat NGO Entity, Delta Water Exporter

May 2026: Delta Agriculture (Seat 1), Delta Recreation (Seat 1), Delta Organization, State Agency (Seat 1), Delta Utility and Related Infrastructure

May 2024: Delta Business (Seat 2), Delta Agriculture (Seat 2), Delta Recreation (Seat 2), Delta Cultural Preservation, State Agency (Seat 2), Delta General Public (Seat 2), Delta Tribe

DPAC members have no limit on serving consecutive terms, and are allowed to designate alternates to represent them at DPAC meetings. In addition, representatives of the U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Water Resources, Delta Stewardship Council, Sacramento-San Joaquin Delta Conservancy, a Delta-region Native American tribe, and an emergency response entity are encouraged to participate as ex-officio members.

X. Appointment of Committee Members

The 17 voting members of the committee will be appointed by the DPC through an application process administered by DPC staff, including filling vacancies when necessary to fulfill the remainder of the term. Each appointment shall include the member's category using the descriptions identified in Article IX.

XI. Duties and Selection of Chair

The Chair of the DPAC will be chosen from and by a majority vote of the advisory committee members present. The Chair will serve for a one-year term and may be re-elected for additional terms. The committee may also appoint a Vice-Chair through a similar process.

The DPAC Chair, in consultation with the DPC Executive Director, will be responsible for scheduling meeting dates, developing DPAC meeting agendas, and the development and submission of any specific recommendations made pursuant to Article V. DPC staff will be responsible for reserving meeting locations and distribution of meeting notices and agendas.

XII. Estimated Frequency of Meetings/Establishing a Quorum

The DPAC will meet at the call of the DPAC Chair with the approval of the DPC's Executive Director. Meetings will be held no less than twice per year. A quorum is considered to be at least 50% of the DPAC membership (including alternates for absent Committee members), and any actions taken will require approval of a majority of the DPAC members

present.

XIII. Ethical Responsibilities of Members

No committee or subcommittee member shall participate in any specific matter, including a lease, license, permit, contract, claim, agreement or related litigation with the DPC or any local or state agency, in which the member has a direct financial interest.

XIV. Subgroups

As deemed necessary, the DPAC Chair, in consultation with the Executive Director of the DPC, may convene additional advisory committees, working groups or subgroups to support DPAC functions. Working groups or subgroups will report directly to the DPAC.

XV. Bagley-Keene Open Meeting Act

As a state agency, the DPAC, Working Groups, and Sub-Groups are governed by the Bagley-Keene Open Meeting Act which requires, among other things, that (1) an agenda be posted at least ten days in advance of any meeting; (2) the agenda describe specifically the items to be transacted or discussed; and (3) the DPAC to refuse to add an item subsequent to the published agenda. In addition to these general requirements, the Bagley-Keene Act includes other specific provisions and requirements concerning the announcement and conduct of meetings.