



SUMMARY MINUTES
Delta Protection Commission Meeting
Thursday, November 19, 2020

Meeting conducted via Zoom and telephone as authorized by Governor's Executive Orders [N-29-20](#) and [N-33-20](#) during the COVID-19 emergency

ADMINISTRATIVE AGENDA

1. Call to Order

Chair Villegas called the meeting to order at 4:06 p.m. and led the meeting participants in a flag salute.

2. Welcome and Roll Call

Commission Clerk Sis Hendrix called the roll. Present at roll call: Chair Villegas, Vice-Chair Nottoli, Commissioners Winn, Burgis, Thomson, Krieg, Nakanishi, Paroli, Bugsch, Sandeen (for Cabaldon), Slater (for van Loben Sels), Agar (for Kim), Lester-Moffitt (for Ross), Vogel (for Crowfoot), and ex-officio member Assemblyman Jim Frazier. Commissioner Mussi was absent with no alternate present.

3. Public Comment- Opportunity for the Public to Address the Commission Regarding Items Not on the Agenda

Ryan Bogle of Sacramento raised a concern over cross-levee fences being removed and not re-installed as part of the Sacramento River levee improvements in the Pocket neighborhood of Sacramento. He requested the Commission support the re-installation of cross-levee fences until the Sacramento River Parkway is completed. Executive Director Vink will follow up with Mr. Bogle.

4. Chair's Report on Delta Stewardship Council Activities

Chair Villegas reported on recent activities of the Delta Stewardship Council, including staff presentations on key draft findings of Delta Adapts Vulnerability Assessment and a Delta Levee Investment Strategy update. He encouraged Commission members to follow the Delta Adapts effort and suggested a presentation at the next Commission meeting.

5. Commissioner comments/announcements

Commissioner Agar reported on Caltrans efforts to coordinate public outreach on transportation construction projects among the three Caltrans districts covering the Delta region, and he introduced Bart Ney (Caltrans Region 4 Public Affairs Chief), who shared a draft map and a detailed table documenting Caltrans transportation and construction projects throughout the Delta region. Vice-Chair Nottoli and Commissioner Burgis commended Commissioner Agar on

these efforts, and Chair Villegas suggested the map be shared with Commission members and Delta Protection Advisory Committee members.

CONSENT AGENDA

6. Approval of September 17, 2020 Summary Minutes

7. Approval of 2021 Commission meeting dates

JOINT MOTION: In a combined motion, it was moved by Commissioner Nottoli and seconded by Commissioner Burgis to approve the September 17, 2020 meeting minutes and approve 2021 Commission meeting dates. In a roll call vote, the motion passed 12-0-2 with Commissioners Villegas, Nottoli, Winn, Burgis, Thomson, Krieg, Sandeen, Nakanishi, Paroli, Agar, Vogel, and Bugsch voting aye, and Commissioners Slater and Lester-Moffitt abstaining.

REGULAR AGENDA

8. Receive Executive Director Report

Executive Director Vink welcomed Nicole Rinke as Commission Counsel, filling in for Carlos Mejia who is on leave for several months; provided an update on DWR's Delta Conveyance Project, including distribution of an environmental justice survey ("Your Delta, Your Voice"), updates on soil investigation work, provided the revised timeline of mid-2022 for the anticipated release of the EIR and EIS, mentioned that the Commission had requested cooperating agency status as part of the U.S. Army Corps of Engineers National Environmental Policy Act (NEPA) process and that request was denied by the Corps, and discussed the Commission participating in the Corps' Section 106 consultation under the National Historic Preservation Act; informed the Commission that staff has initiated a review of Vision 2030 (Commission strategic plan) and continued the discussion with DPAC; provided an update on the November 6 Delta Heritage Forum, with over 100 participants; congratulated Blake Roberts on his promotion to a Program Manager I; shared details on Flood Preparedness Week and the Delta Flood Preparedness Calendar to be distributed to homes in flood-prone communities; and provided updates on Commission land use letters, website and social media metrics, other staff activities, and budget updates for current fiscal year 2020-21.

Chair Villegas asked for public comment and there was none.

9. Elect 2021-2022 Commission Chair and Vice-Chair

Based on the customary rotation of the Chair position among the county supervisor members of the Commission (as called for in statute), Vice-Chair Nottoli would elevate to Chair, and Commissioner Winn would become Vice-Chair, proposed to take effect January 11, 2021.

Chair Villegas asked for public comment and there was none.

MOTION: It was moved by Commissioner Burgis and seconded by Commissioner Thomson to elect Don Nottoli as Chair and Chuck Winn as Vice-Chair for 2021-2022, effective January 11, 2021. In a roll call vote, the motion passed 14-0 with Commissioners Villegas, Nottoli, Burgis, Winn, Thomson, Krieg, Sandeen, Nakanishi, Paroli, Slater, Agar, Lester-Moffitt, Bugsch, and Lester-Moffitt voting aye.

10. Receive report on Delta Stewardship Council science activities

Assistant Executive Director Natasha Nelson provided background on the Commission's interest in Delta science activities, especially social science research. She introduced Amanda Bohl (Delta Stewardship Council Special Assistant for Planning and Science) and Dr. Mark Lubell (UC Davis Department of Environmental Science and Policy). Ms. Bohl presented on the DSC Science Action Agenda, Science Needs Assessment, and recent social science focus in the Delta science efforts. Dr. Lubell presented on social science research and its importance, using his work on invasive spartina in San Francisco Bay as an example, and also discussed strategies for engaging social science.

Chair Villegas asked for public comment. Commissioner Vogel asked how engagement of social scientists will shape the council's science action agenda, and Ms. Bohl said the Council collected over 1,000 questions, with Assistant Executive Director Nelson indicating that about 30 would be of interest from a social science perspective. DPAC Vice-Chair Barbara Daly commented on social science research helping support the protection and enhancement of unique Delta values, as called for in Water Code section 85054.

11. Delta National Heritage Area

Executive Director Vink stated applications were solicited for the Delta National Heritage Area Management Plan Advisory Committee and were reviewed with Vice-Chair Nottoli and Commissioner Vogel. From this review, 15 voting members and 3 ex-officio members are recommended for appointment to the Advisory Committee: Michael Campbell from Clarksburg, Lenora Clark from Discovery Bay, Barbara Daly from Clarksburg, Paulette Hennem from Courtland, Matt Holmes from Stockton, Douglas Hsia from Locke, Carol Jensen from Brentwood, Janet Lake from Freeport, Gia Moreno from Hood, James Motlow from Locke, Elizabeth Patterson from Benicia, David Stuart from Sacramento, Malissa Tayaba from Sacramento, Jan Vick from Rio Vista, and Jean Yokotobi from Isleton as voting members, with Matthew Moore representing United Auburn Indian Community of Auburn Rancheria, Michael Moran representing East Bay Regional Parks District, and Trevor Rice representing National Park Service as ex-officio members.

Program Manager Blake Roberts asked the Commission to approve additional funding for the Point Heritage Development Consulting contract for the National Heritage Area Program and Management Plan Scope of Work. The additional funding would not exceed \$25,000, for a total contract amount not to exceed \$174,400.

Chair Villegas asked for public comment and there was none.

MOTION: In a combined motion, it was moved by Commissioner Nottoli and seconded by Commissioner Thomson to approve the recommended voting and ex-officio members to the Delta National Heritage Area Management Plan Advisory Committee and to approve up to \$25,000 in additional funding for the Point Heritage Development Consulting contract. In a roll call vote, the motion passed 13-0 with Commissioners Villegas, Nottoli, Winn, Burgis, Thomson, Krieg, Sandeen, Nakanishi, Paroli, Slater, Agar, Lester-Moffitt, and Vogel voting aye.

12. Receive report on Economic Sustainability Plan and Tourism Chapter update and consider recommendations

Program Manager Virginia Gardiner provided an update on the Economic Sustainability Plan Recreation and Tourism Chapter update, including milestones, recreation trends, key data, constraints to recreation, focus group findings, and recommendations. Commission members were asked whether they supported the strategic approach, and whether there are specific organizations or entities that should be part of the outreach.

Chair Villegas asked for public comment. Vice-Chair Nottoli asked about the Delta Investment Fund as a receptacle for funding recreation and tourism improvements, and Chair Villegas commented on the need to improve the permitting process for recreation and tourism infrastructure improvements.

13. Receive Delta Protection Advisory Committee Report

DPAC Chair Mark Pruner provided an update on the November 4 DPAC meeting, where the Committee received a report on recent meetings of the DCA Stakeholder Engagement Committee (SEC), received a report on the Economic Sustainability Plan-Recreation and Tourism Chapter update and discussed draft recommendations, reviewed Vision 2030 (Commission strategic plan) and discussed potential revisions, and received an update on Commission staff activities. The Committee also discussed its meeting calendar for 2021.

Chair Villegas asked for public comment and there was none.

14. Receive Report on DWR Proposition 1 Delta levees funding and consider approval of letter to Delta legislators

Executive Director Vink provided background information on the \$295 million Proposition 1 Delta levee funding program, intended to reduce the risk of levee failure and flood in the Delta. He mentioned information shared by DWR at recent Delta Levees and Habitat Advisory Committee meetings that \$50 million of this available funding had been earmarked in fiscal years 2017-18 through 2020-21 for habitat restoration projects that had minimal flood control benefit or yet-to-be-determined flood control benefit. He proposed a Commission letter to Delta Legislative Caucus members requesting review of these appropriations.

Department of Water Resources Chief of Multi-Benefit Initiatives Steve Rotherth provided information to the Commission on the flood-control benefit of the named projects (specifically, habitat restoration projects at Lookout Slough and a conceptual project at Little Egbert Tract),

and further suggested working with the Commission and Delta levee interests to provide additional information on the projects proposed for funding and to initiate a discussion with Delta flood protection stakeholders in the interest of promoting greater transparency about the Department's management of the Section 79781 funding.

Commission members provided comment, ranging from concerns that the proposed Commission letter was premature in light of Mr. Rothert's offer to provide greater transparency (Chair Villegas and Commissioners Thomson and Vogel), to concerns that the earmarked funding for the named projects depletes the funding for projects that provide greater flood protection benefit for the entire Delta (Commissioners Burgis, Paroli, and Slater), and concern that the projects being funded are satisfying the obligations of State Water Project contractors related to the biological opinions (Vice-Chair Nottoli). Commissioner Winn also suggested creating a better process for future allocation of Proposition 1 funding.

Chair Villegas asked for public comment. Melinda Terry of the California Central Valley Flood Control Association, Dante Nomellini Sr. of Central Delta Water Agency, and Osha Meserve of Local Agencies of the North Delta all provided comments critical of the DWR Proposition 1 Delta levees funding decisions and supported the Commission sending a letter to the Delta Legislative Caucus expressing these concerns. Gilbert Cosio of MBK Engineers stated the Delta levee programs (Subventions and Special Projects) are required to enhance habitat values, even while they provide additional flood protection to the Delta.

In discussion among Commission members, it was generally agreed to pause on the letter and provide additional time for the discussions proposed by Mr. Rothert to take place. Commission members asked Executive Director Vink to report on this matter at the January 2021 Commission meeting.

15. Adjourn

Prior to adjourning the meeting, Chair Villegas recognized Commission member (and former Chair) Skip Thomson for his many years of service as a Solano County Supervisor and member of the Commission, both at the Commission's beginning and then again eight years ago when Supervisor Thomson was again elected as a County Supervisor. Chair Villegas, Vice-Chair Nottoli, and Commissioners Burgis and Winn all commented on Commissioner Thomson's service and wished him well in his retirement. The Commission (and Greg and Moni Kondos) presented Commissioner Thomson with a framed print of Greg Kondo's "Delta Trees" in recognition of his service.

Chair Villegas adjourned the meeting at 7:18 p.m.