



ACTION 2020

Delta Protection Commission
Annual Report



Letter from the Chair



January 21, 2021

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

Re: 2020 Annual Report of the Delta Protection Commission

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,

A handwritten signature in black ink that reads "Don Nottoli". The signature is written in a cursive, flowing style.

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 listserv 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.

LAND USE PROJECT COMMENT LETTERS

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

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Executive Director

Natasha Nelson

Assistant Executive Director

Virginia Gardiner

Program Manager

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Delta Protection Commission

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