



## **SUMMARY MINUTES**

### **Delta Protection Commission Meeting Thursday, January 20, 2022**

Meeting conducted via Zoom and telephone  
as authorized by Government Code section 11133

#### **1. Call to order**

Chair Nottoli called the meeting to order at 4:02 p.m. and asked Executive Director Vink to lead the meeting participants in a flag salute. Chair Nottoli reminded meeting participants that the meeting is being held on Zoom as authorized by Government Code section 11133 during the COVID-19 emergency.

#### **2. Welcome and roll call**

Interim Commission Clerk Stacy Hayden called the roll. Present at roll call: Chair Nottoli, Vice Chair Winn, Commissioners Villegas, Fuller, Paroli, Steele, Slater, Burgis, Nakanishi, Agar (for Konove), Vogel (for Crowfoot), Bugsch, and ex-officio designee Udang (for Sen. Talamantes Eggman). Commissioner Birdsong (for Ross) joined the meeting during agenda item 8 (DPAC report). Commissioners Mussi and Vasquez were absent with no alternate present.

#### **3. Public comment - Opportunity for the public to address the Commission regarding items not on the agenda**

Chair Nottoli asked for public comment and there was none.

#### **4. Report on Delta Stewardship Council activities**

Chair Nottoli noted that the Council's annual report was scheduled to be presented at the next Council meeting on January 27.

Chair Nottoli asked for public comment and there was none.

#### **5. Commissioner comments/announcements**

Commissioner Agar announced that Secretary Kim had stepped down from his position and Elissa Konove was named interim Transportation Secretary. He also commented on the Caltrans Delta projects map provided to Commission members; that applications to the Clean California local grant program are due on February 1; that Caltrans awarded \$430,000 in Clean California funding to the Commission for implementing the Delta sign plan by June 2023; that the District 10 Pedestrian and Bicycle Advisory Committee is meeting on February 9; and that Caltrans District 10 is currently working on an assessment of regional advance environmental mitigation needs.

Chair Nottoli acknowledged work by Caltrans District 10 to enhance safety along Highway 12 in the Jackson Slough area by installing curbs to restrict illegal passing. Commissioner Villegas asked about the Clean California grant and whether the effort might improve some of the sign clutter at the Freeport Bridge.

Commissioner Vogel announced that the Governor appointed Katherine Toy as the National Resources Agency's first Deputy Secretary for Access, overseeing approximately \$1 billion in funds. Chair Nottoli offered congratulations.

Chair Nottoli asked for public comment and there was none.

## **CONSENT AGENDA**

### **6. Consider approval of November 18, 2021 meeting minutes**

**Motion:** It was moved by Commissioner Villegas and seconded by Commissioner Burgis to approve the November 18, 2021 meeting minutes; in a roll call vote, the motion passed 12-0-0 with all Commissioners present at roll call except for Commissioner Birdsong (who had not yet joined the meeting) voting aye.

## **REGULAR AGENDA**

### **7. Receive Executive Director report**

Executive Director Vink noted that the final meeting of the Stakeholder Engagement Committee for the Delta Conveyance Project was held on December 8; that the Delta Leadership Program convened its 2022 program with 13 participants on a January 7 Zoom meeting and will conclude with a reception at Bogle Winery on April 22; welcomed three new staff members (Claire Coeey, Associate Governmental Program Analyst; Morgan Matz, Office Technician; Kirsten Pringle, Senior Environmental Planner) to the Delta Protection Commission and thanked Assistant Director Natasha Nelson for her hiring and onboarding efforts; reported that the new state budget included no significant change in Commission funding; and that he will be working with Chair Nottoli and Commissioner Bugsch, along with our human resources team at the Department of General Services, to finalize an official duty statement for the Executive Director position. He concluded by noting that upcoming events, web metrics, and a budget overview can be found in the written report.

Chair Nottoli asked for public comment and there was none.

### **8. Receive Delta Protection Advisory Committee (DPAC) report**

Chair Nottoli started by thanking outgoing DPAC members Barbara Daly and Lindsey Liebig. Outgoing DPAC Chair Mark Pruner offered comments on his tenure as DPAC Chair and welcomed incoming Chair Mariah Looney. DPAC Chair Looney introduced herself reported on the January 4 meeting, including the election of Russ Ryan as Vice-Chair, discussion of recent activities of the Stakeholder Engagement Committee, received an update on the Delta

Stewardship Council's "Delta as Place" survey of Delta residents, received a report on the State Lands Commission Commercial Abandoned Vessel Removal efforts, and an update on Commission staff activities. Chair Nottoli, Executive Director Vink, and Commissioners Villegas and Burgis expressed their appreciation for Mark Pruner's term as Chair and welcomed incoming Chair Looney.

Chair Nottoli asked for public comment and there was none.

#### **9. Receive report on California State Lands Commission Abandoned Commercial Vessel Removal Plan efforts**

Commissioner Bugsch offered an introduction to this item, summarizing the funding history of commercial vessel removal efforts and thanking Assemblymember Jim Frazier for his work on this issue, including securing \$12 million in state FY 21-22 funding for the removal of abandoned commercial vessels.

Commissioner Bugsch then introduced State Lands Commission staff, including attorney Andrew Kershen and program staff Ken Foster and Vicki Caldwell. Ms. Caldwell presented information on the Commercial Abandoned and Derelict Vessel Removal efforts, including a proposed timeline for program activities over the next 3 to 5 years and an update on the January 2022 removal of a World War II-era tugboat that had broken free of its moorings and represented a significant environmental hazard.

Commissioner Villegas suggested increased communication with marina operators to determine which vessels may need to be removed most urgently. Commissioner Paroli asked which vessels had already been identified for removal; Commissioner Bugsch responded that identifying those vessels is part of the State Lands Commission plan. Chair Nottoli asked whether State Lands Commission has authority to act on an emergency basis to remove imminent hazards, and Commissioner Bugsch noted that no such authorization had yet been received.

Chair Nottoli asked for public comment. Sergeant Darron Epperson of the Sacramento Sheriff's Office reiterated the need for urgency in removal efforts, noting hazard potential. Natasha Drane of Sacramento County described legislation that Sacramento County was sponsoring to expand abandoned vessel removal efforts statewide with a one-time request for \$20 million in funding.

Executive Director Vink noted that Commissioner Birdsong had joined the meeting during agenda item 8 (DPAC report).

#### **10. Consider approval of Great California Delta Trail Master Plan**

Commission Program Manager Virginia Gardiner offered a summary of the Plan's recent public outreach efforts including public workshops and surveys as well as receipt of written comments and listening sessions with levee managers, property owners, trail enthusiasts, and others.

Sofia Zander of TrailPeople detailed changes made to the Plan since the November 2021 Commission meeting, including: two new appendices dedicated to public workshops; written comments from the public and from stakeholders, additional language in chapter 2 addressing efforts to protect agricultural lands, watercraft usage, pesticide use, and other policies; and additional language in chapter 3 regarding a water trail plan, connections between trails, boat launch sites, and environmental sensitivity considerations. Liz Westbrook, also of TrailPeople, reported no major changes to chapters 4 and 5 of the Plan.

Chair Nottoli asked for public comment and there was none.

**Motion:** It was moved by Commissioner Villegas and seconded by Commissioner Birdsong to approve the Great Delta Trail Master Plan; in a roll call vote, the motion passed 12-0-0 with all Commissioners present at roll call (except for Commissioner Bugsch, who left the meeting during the discussion on this item) and Commissioner Birdsong voting aye.

#### **11. Receive report on Delta Drought Response Pilot Program**

Campbell Ingram of the Sacramento-San Joaquin Delta Conservancy provided background information on the Delta Drought Response Pilot Program, which launched on January 19 to conserve water and improve Delta water quality. The Program has \$10 million in funding from DWR and is offering \$900 per enrolled acre to landowners who implement water-saving measures (irrigation, crop selection, and fallowing). The program will be paired with a robust monitoring effort led by UC Davis. He reported that the first meeting of the Program's applicant selection committee will convene on January 21 and that an application form to enroll in the Program can be found on the Conservancy's website. Chair Nottoli and Commissioner Vogel expressed their appreciation for the Conservancy's efforts in this matter, as well as the participating growers.

Chair Nottoli asked for public comment and there was none.

#### **12. Consider approval of Delta Protection Commission 2021 Annual Report**

Executive Director Vink highlighted 2021 Commission activities, including: tracking efforts and coordination with the Delta Conveyance Project; playing an instrumental role in applying for a \$4 million grant to improve broadband internet infrastructure; approval of the Recreation and Tourism chapter update of the Economic Sustainability Plan; progress on the Great California Delta Trail Master Plan; continuing work on the National Heritage Area management plan; and launching the flood preparedness website [www.deltafloodready.com](http://www.deltafloodready.com).

Chair Nottoli asked for public comment and there was none.

**Motion:** It was moved by Commissioner Slater and seconded by Commissioner Burgis to approve the 2021 Annual Report; in a roll call vote, the motion passed 12-0-0 with all Commissioners present at roll call (except for Commissioner Bugsch, who left the meeting) and Commissioner Birdsong voting aye.

### **13. Receive Report on Delta National Heritage area 2022 activities**

Commission Program Manager Blake Roberts described activities in the year ahead leading to the Commission's consideration of a Sacramento-San Joaquin Delta National Heritage Area Management Plan in the fall of 2022. He outlined NHA public outreach efforts including regular meetings of an advisory committee and various task groups, tribal consultation, and multiple public workshops and forums. He then reported that the advisory committee will meet next on March 3, with additional meetings taking place throughout the months of April, May, and June, with the goal of producing a draft plan in late summer to be finalized by the end of 2022.

Commissioner Villegas thanked Program Manager Roberts for his efforts on the management plan.

Chair Nottoli asked for public comment and there was none.

### **14. Consider approval of a comment letter on the Delta Stewardship Council's draft regulations governing appeals of covered actions under the Delta Plan**

Executive Director Erik Vink provided background on the Delta Stewardship Council's Delta Plan process and proposed changes to its regulations governing appeals of covered actions under the Delta Plan. He explained the concerns expressed by Commission staff about the Council's proposed amendments, including adequate opportunity for public comment and affirming the role of the Commission under Public Resources Code section 29773 to comment on any matter before the Council, and for the Council to adopt those recommendations if they find them feasible.

Commissioner Nakanishi offered his support for the comment letter. Commissioner Vogel asked if there is anything in the proposed regulations that would change the role of the Commission in appeals of certifications of consistency; Deputy Attorney General Mejia explained that the role of the Commission would simply be more specifically defined. Vice-Chair Winn and Commissioners Slater and Villegas expressed their support for the comments raised in the draft letter.

Chair Nottoli asked for public comment. Jeff Henderson of the Delta Stewardship Council mentioned that the deadline for public comment on the proposed regulations is March 7.

**Motion:** It was moved by Vice-Chair Winn and seconded by Commissioner Nakanishi to approve the draft comment letter on the Council's proposed changes to its regulations governing appeals of covered actions under the Delta Plan; in a roll call vote, the motion passed 9-0-3 with Chair Nottoli, Vice-Chair Winn, and Commissioners Burgis, Villegas, Steele, Fuller, Nakanishi, Paroli, and Slater voting aye and Commissioners Agar, Birdsong, and Vogel abstaining from the vote.

### **15. Adjourn**

Chair Nottoli adjourned the meeting at 6:19 p.m. The next Commission meeting will be March 17, 2022.