



DRAFT SUMMARY MINUTES
Delta Protection Commission Meeting
Thursday, July 21, 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 5:03 p.m. and asked Erik 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

Commission Clerk Morgan Matz called the roll. Present at roll call: Chair Nottoli, Vice Chair Winn, Commissioners Vasquez, Paroli, Slater, Nakanishi, Steele, Burgis, Kott, Bugsch, Agar (for Tavares), Vogel (for Crowfoot), and ex officio designee Xochitl Paderes (for Assemblymember Carlos Villapudua). It was noted at 5:51 p.m. that ex officio designee Udang (for Sen. Talamantes Eggman) had joined the meeting. Commissioners Mussi, Villegas, and Crowfoot 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 reported that Virginia Madueño had been elected Chair of the Council at the most recent meeting; that the Delta Plan Ecosystem Amendment had been approved and is moving forward in the administrative process; and that the next meeting would be held in the coming week.

Chair Nottoli asked for public comment and there was none.

5. Commissioner comments/announcements

Commissioner Agar announced that the latest update to the Delta Construction map was available and had been distributed to the Commission; that a 55-hour closure of Highway 12 would take place between July 22 and July 25; that Tony Tavares had been appointed Director of Caltrans in early June; and that as part of Caltrans' Broadband Middle Mile Network program, which is scheduled to be completed by December 2024, 141 miles of broadband connections have been planned for San Joaquin County.

Commissioner Steele asked Commissioner Agar about potentially installing a traffic light in an area of Isleton that has recently seen an uptick in traffic, and Commissioner Agar confirmed that he is able to help address that concern.

Chair Nottoli asked for public comment and there was none.

CONSENT AGENDA

6. Consider approval of May 19, 2022 meeting minutes

Motion: It was moved by Commissioner Kott and seconded by Commissioner Vogel to approve the May 19, 2022 meeting minutes; in a roll call vote, the motion passed 12-0-0 with all Commissioners present at roll call voting aye.

REGULAR AGENDA

7. Receive Executive Director report

Executive Director Vink reported that the Environmental Impact Report for the Delta Conveyance Project had not yet been completed, and suggested that the Commission may want to call a special session to discuss the report in Fall once it has been released. He also thanked Commissioner Agar for his help securing the Clean California grant, and announced the publication of a new anthology of Delta stories titled “Imagining The Sacramento-San Joaquin River Delta: An anthology of voices across centuries.”

He also reported that the Commission’s Public Information Officer, Stacy Hayden, had departed the Commission to take a new position with the Ocean Protection Council, and that efforts continue to fill that position as well as the still-vacant Associate Governmental Program Analyst position. Executive Director Vink then reminded the Commission that his own retirement would take effect on August 5.

Finally, he encouraged Commissioners to review multiple items in the written materials accompanying his report, including public comments on land use, recent social media metrics, and budget numbers for the upcoming year.

Chair Nottoli asked for public comment and there was none.

8. Receive Delta Protection Advisory Committee (DPAC) report

Mariah Looney reported that DPAC’s last meeting took place on June 28. New Committee members were introduced and welcomed, and the Committee heard two presentations: first, a presentation from Restore The Delta’s science coordinator on their Harmful Algal Blooms project; and second, a presentation from Co-Chair Russ Ryan on the Metropolitan Water Districts Delta Islands Adaption project. The Committee also heard a report from Executive Director Erik Vink on Commission staff activities. The next Advisory Committee meeting will be held at the end of August.

Chair Nottoli asked for public comment and there was none.

9. Consider approval of job offer to Executive Director designee

Chair Nottoli announced that the Commission had reached an agreement with incoming Executive Director designee Bruce Blodgett to establish a starting yearly salary of \$135,000 and a start date of August 8, 2022.

Motion: It was moved by Commissioner Burgis and seconded by Commissioner Nakanishi to approve the job offer to Executive Director designee Bruce Blodgett; in a roll call vote, the motion passed 12-0-0 with all Commissioners present at roll call voting aye.

10. Receive report on Federal Emergency Management Agency (FEMA) flood zone reclassification and consider Commission letter to FEMA requesting Delta region Flood Insurance Rate Map (FIRM) reclassification and establishment of a Delta region local levee task force

Executive Director Vink provided some background information on Kathleen Schaefer, detailing her educational history and some work on which she and Executive Director Vink have collaborated.

Kathleen Schaefer stated that she is currently working to explore alternatives to the National Flood Insurance Program (NFIP). She explained that FEMA's current FIRMs for the Delta region were produced following FEMA Procedure Memorandums 34 and 43, which directed analysts to use a "without levee" procedure that misrepresented Base Flood Elevations (BFEs) significantly. After strong pushback from Congressional representatives from districts surrounding the Mississippi River, FEMA developed a more flexible approach to mapping areas with de-accredited levees.

She further explained that the letter to be considered urges FEMA to reevaluate Delta FIRMs using the updated, more flexible mapping approach, and asks that flood zones on existing maps be changed from Zone A classification, which denotes a "special flood hazard area," to the less restrictive Zone D classification in the interim, releasing residents and developers in those areas from special building and insurance requirements, and allowing construction of useful structures that would not be allowed in an area classified as Zone A.

She then outlined the Commission's obligations following submission of the letter, including continuing to support and enforce existing state regulations regarding residential construction in deep floodplains, continuing efforts to educate and inform the public of existing flood risk, assisting FEMA in organizing a Local Levee Mapping Team (LLPT), and supporting efforts to explore alternatives to the NFIP.

Executive Director Vink clarified that the existing state regulations to which Kathleen referred are included in the Commission's Land Use and Resource Management Plan (LURMP), and reaffirmed the Commission's commitment to supporting ongoing efforts toward educational outreach and lowering insurance costs for Delta residents through policy alternatives.

Commissioner Steele expressed strong interest in this effort and indicated that he would reach out to appropriate parties in order to become more involved.

Commissioner Vogel asked for clarification as to the difference in insurance costs between properties in Zone A and Zone D, and Kathleen Schaefer explained that each property is evaluated individually and it is impossible to provide an accurate estimate, though insurance rates in general are rising consistently. She also noted that private insurance options are expanding.

Chair Nottoli asked for public comment and Kevin LeMasters expressed appreciation for the Commission's efforts in this matter.

Motion: It was moved by Commissioner Kott and seconded by Chair Nottoli to adopt a Commission letter to FEMA requesting Delta region Flood Insurance Rate Map (FIRM) reclassification and establishment of a Delta region local levee task force; in a roll call vote, the motion passed 12-0-0 with all Commissioners present at roll call voting aye.

11. Receive update on Delta National Heritage Area Management Plan development

Senior Program Manager Dr. Blake Roberts provided background information for the Management Plan, explaining that the Congressional legislation establishing the Delta National Heritage Area (NHA) requires that the Management Plan represent diverse interests, consider government plans and treaty rights, and use an integrated and cooperative approach to resources. It further requires a resource inventory; policies, strategies, and recommendations for conservation, funding, management, and development; recommendations on coordination with other governmental and Tribal programs; an interpretive plan; identification of funding sources; and an implementation plan. The legislation prohibits the acquisition of real property with federal funds and includes other protections for private property owners.

He explained that Management Plan outreach so far has included the formation of an Advisory Committee along with various task groups, Tribal consultation, public workshops, online surveys and interviews, and the establishment of the Delta Heritage Forum. A number of Interpretive Themes and Supporting Themes have been developed to direct further development of the NHA including:

- Natural Resources
- A Changing Landscape
- Native American Experience
- People's Stories
- Agriculture
- Importance of Water
- Military History (supporting theme)
- Transportation and Related Industries (supporting theme)
- Rural and Urban Centers (supporting theme)
- Art (supporting theme)
- Recreation (supporting theme)
- Energy Production (supporting theme)

Further, two of the task groups and their defined objectives are as follows:

Heritage Development and Tourism Task Group:

- Promotions attract visitors who appreciate the area and contribute to the local economy
- Products based on the NHA's history, culture, and natural resources are easily accessible
- Information and activities will increase awareness of the Delta and the NHA
- Advocacy for tourism infrastructure and development of a tourism industry that is sensitive to the region's resources

Resource Stewardship Task Group:

- Awareness of the importance of historic preservation
- Embracing a conservation stewardship ethic
- Appreciation and understanding of local culture and living traditions
- Tribes and descendants of Native peoples understand and experience the resources of the region

Dr. Roberts then outlined four potential options for the Commission's involvement in management and organization of the NHA into the future:

- Continue day-to-day management of the NHA
- Remain a coordinating entity but contract daily management to a partner organization
- Provide operating grants to partner organizations focused on specific NHA goals
- Assign NHA management entirely to another organization

He went on to provide the Commission with the NHA's mission statement, "The Sacramento-San Joaquin Delta National Heritage Area is a partnership coalition working together to recognize, enhance, and promote the National Heritage Area as an ecological, agricultural, recreational, historical, and cultural treasure," and the NHA's vision statement, "The Sacramento-San Joaquin Delta National Heritage Area supports living links among the past, present, and future and among farmed, developed, and wild lands in the Delta, Suisun Marsh, and the Carquinez Strait. This globally significant estuary sustains a remarkable and diverse blend of natural and human communities that have emerged over millennia. Through partnerships, SSJDNHA affirms and protects this living landscape – the appreciation of Delta cultures, relationships with water and landscapes, rewards of labor and commerce, and the revitalizing benefits of recreation – and shares it with Californians and visitors from around the world."

He provided a rough schedule for future planning efforts, including a continuing series of meetings of the Advisory Committee and associated task groups, as well as the preparation of a draft plan for Commission review to be completed by the end of 2022. After the draft plan is approved, it will be released for public review, CEQA/NEPA evaluation, and then final approval by the National Park Service and Department of the Interior.

Finally, he reported that in early June, Congress proposed expanding the NHA to include a portion of Rio Vista, and that legislation to that effect would be considered by the end of 2022. He also noted that although the Management Plan was originally required to be completed by March 2022, that deadline had been eliminated in light of limitations imposed by the COVID-19 pandemic.

Commissioner Kott asked if another deadline for completion of the Management Plan had been established, and Dr. Roberts confirmed that there is now no deadline. Executive Director Erik Vink added that he would recommend to incoming Executive Director Bruce Blodgett that updates on the NHA become a regular part of Commission meetings into the foreseeable future.

Commissioner Vogel asked for a timeline estimate for establishing roles for the Commission and other entities regarding ongoing management of the NHA, and mentioned the Rivers Of Steel NHA in Pittsburgh, PA as an example of a successful partnership between public and private agencies. Dr. Roberts responded that he believed it would be beneficial for the Commission to partner with one or more non-governmental non-profit agencies to manage the NHA and that the Commission is currently working with Augie Carlino, who served as Executive Director of the Rivers Of Steel NHA, but emphasized that there is no established timeline or official deadline for defining management roles. Executive Director Vink added that although no other organization has yet been identified as an ideal management partner, he is planning to encourage incoming Executive Director Blodgett to continue to seek out organizations that could play that role.

Chair Nottoli asked for public comment and Ex-Officio designee Xochitl Paderes announced that her office will soon be partnering with the Department of Fish & Game, the Department of Water Resources, and the U.S. Coast Guard to introduce a program intended to educate youths about the Delta and its waterways, using the Keep Tahoe Blue initiative as a blueprint.

12. Adjourn

Chair Nottoli adjourned the meeting at 6:21 p.m.