



ACTION 2021

Delta Protection Commission
Annual Report



Letter from the Chair



January 20, 2022

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

Re: 2021 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 2021 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.

With full support by all the Commission members, it is an honor to offer you the Delta Protection Commission Action 2021.

Sincerely,

A handwritten signature in black ink that reads "Don Nottoli." The signature is fluid and cursive, with a period at the end.

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.

2021 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 6 through 9.
- Commission staff closely monitored activities related to Department of Water Resources' (DWR) [Delta Conveyance Project](#) (Delta tunnel), including:
 - The progress of the proposed design for environmental review purposes as suggested by the [Delta Conveyance Design and Construction Authority's \(DCA\)](#) engineering analyses presented in monthly Stakeholder Engagement Committee and DCA Board meetings, as well as periodic briefings with DWR's Delta Conveyance Office staff.
 - The U.S. Army Corps of Engineer's (Corps) National Environmental Policy Act process for a new Environmental Impact Statement (EIS).
 - Working with the Corps, in coordination with local historic and cultural resource experts, 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](#).
 - DWR's [Community Benefits Program](#).
 - Environmental justice.
- 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 oversaw the completion and release of the final [Recreation and Tourism chapter update to the Economic Sustainability Plan](#), including a public workshop in January and presentations to the Commission in January and March.
- Building on the [Broadband Coverage in the Delta \(2020\)](#) report, Commission staff worked with a partnership of local government and private internet service providers to apply for a \$3.7M broadband infrastructure grant from the National Telecommunications Information Administration. Award of grants for this highly competitive program is expected to be announced in early 2022.
- Commission staff developed and led a series of web-based [Delta Marketing Workshops](#) held free for regional businesses and organizations.

Recreation & Tourism

- Commission staff continued to develop the [Great California Delta Trail](#) (Delta Trail) Master Plan Draft. Activities included:
 - Convening meetings of the Delta Trail Technical Advisory and Stakeholder Advisory Committees in May and September to review and provide input on the draft Master Plan.
 - Conducting two separate surveys during the summer and fall, one to the general public and one to Reclamation Districts, as well as two sessions of focused discussion with levee managers.
 - Presenting progress reports on the draft Delta Trail Master Plan at two meetings of the [Delta Protection Advisory Committee](#).
 - Reviewed progress with the Commission and released the Draft Master Plan for a 30-day public comment period; conducted two online public workshops.
- Commission staff led projects related to the [Delta Tourism Awareness 5-Year Marketing Plan](#), including:
 - Promotion of the Delta as a recreation and tourism destination on the [Visit CA Delta](#) website which saw a 27% increase in pageviews from the prior year, and on [Facebook](#), [Twitter](#), and [Instagram](#).
 - Major updates to the Visit CA Delta website to incorporate the Sacramento-San Joaquin Delta National Heritage Area.
 - The 5th annual “Best of the Delta” survey, which saw a 64% increase in participation.
- The [Delta Waterway Cleanup](#), part of California Coastal Cleanup Day, was held on Saturday, September 18, 2021. Commission staff organized and hosted three cleanup locations this year: the Broderick Boat Ramp in Yolo County, Bethel Island in Contra Costa County, and the Tower Bridge/Riverfront Promenade in Sacramento County with nearly 90 volunteers attending and an estimated 150 bags of trash removed. They also helped increase participation at locations in Solano and San Joaquin counties. Commission staff developed a new Delta Waterway Cleanup logo and branding.

Heritage

- Commission staff engaged in various efforts related to the preparation of the Sacramento-San Joaquin Delta National Heritage Area (Delta NHA) Management Plan, including:
 - Holding six meetings with the [Delta NHA Management Plan Advisory Committee](#) and eight meetings with the newly created Heritage Development and Tourism, Interpretive Planning, and Resource Stewardship task groups.
 - Presenting to local officials, including the Benicia City Council, about potential partnerships with the NHA.
 - Reaching out to tribal representatives about participation in a tribal consultation process regarding the Management Plan.
 - Engaging the public in the Management Plan process through hosting two in-person workshops in Benicia and Walnut Grove in late summer and the online 4th Annual [Delta Heritage Forum](#) in mid-fall. The workshops were attended by almost forty people and the Forum had nearly eighty registrants and nine presenters.
 - Working with Point Heritage Development Consulting and California State Parks to develop components of the Management Plan.
- Commission staff initiated an early action project to create a variety of heritage adventures for residents and visitors for the Delta and National Heritage Area to be promoted in 2022.

Outreach & Education

- Delta Flood Preparedness Week was October 23 to 30, in coordination with the overall state efforts of [California Flood Preparedness Week](#). Commission staff developed a new flood awareness and preparedness website, www.deltafloodready.com, created for the unique needs of Delta residents and businesses, and new branding for use on the website and social media channels.
- The Commission hosted two online “How-To” demonstrations in English and Spanish to increase Delta community participation in the [California Public Utilities Commission’s CalSPEED](#) internet speed test used to identify and quantify areas with poor broadband service.
- Commission staff continued their consistent efforts to share information with the public across multiple channels, including:
 - The weekly Delta Happenings emails and bi-monthly Delta Heritage Courier.
 - Four quarterly Delta Voice newsletters, including an issue focused solely on Delta flood awareness and preparedness.
 - Recordings of seven Commission meetings, six Delta Protection Advisory Committee meetings, and six Delta NHA Management Plan Committee meetings posted to the [Commission’s YouTube channel](#).
 - Regular posts to the Commission’s [Facebook](#), [Twitter](#), and [Instagram](#).
 - The creation of the “Delta Photo of the Week”, with photos shared by 42 participants.

LAND USE PROJECT COMMENT LETTERS

Multi-County

Delta Plan Ecosystem Amendment PEIR

Program Environmental Impact Report, Revisions to Chapter 4 of the Delta Plan. The PEIR assesses program-level impacts anticipated from implementation of the proposed policy, recommendation, and performance measure amendments to the adopted Delta Plan Chapter 4.

Authority: PRC 29773(a); CEQA Reviewing Agency

Zone: Primary and Secondary Zones, Legal Delta

Comments: Reduce the target restoration acreage, thereby reducing impacts to agricultural lands in the Delta, and allowing time for adaptive management process-led decisions to guide adjustment of restoration approaches. Use the next two five-year review cycles of the Delta Plan prior to 2030, to assess and adjust targets based on measurable progress.

Project Size: Variable

Farmland Conversion: Unknown - potentially tens of thousands of acres over time

PG&E Line McDonald Island to Palm Tract Pipeline Decommissioning Project

Mitigated Negative Declaration, Project would decommission and remove four segments of previously retired natural gas pipeline.

Authority: Jurisdictional project

Zone: Primary

Comments: Support projects that remove abandoned or legacy infrastructure that can present a navigation hazard, interfere with agricultural operations, or damage habitat so long as they ensure continued stability of the levee system and preserve fish-friendly habitat within the Delta. The Project Work and Safety Plan should include thorough contingency planning for all phases and locations of the project.

Project Size: Approximately 10,600 feet of pipeline

Farmland Conversion: None

Sutter Slough Critical Erosion Repairs Flood System Repair Project

Mitigated Negative Declaration, Addresses bank loss, toe scour, and erosion along Sutter Slough

Authority: Non-jurisdictional project that may affect Delta resources

Zone: Primary

Comments: Support projects that provide flood protection and stability for Delta levee system. Appreciate efforts to minimize potential impacts.

Project Size: Seven Sites Along Sutter Slough

Farmland Conversion: None

Plan Bay Area 2050

Draft Environmental Impact Report, Regional Transportation Plan and Sustainable Communities Strategy for nine-county San Francisco Bay Area

Authority: Jurisdictional project; Non-jurisdictional project that may affect Delta resources; Delta Trail

Zone: Primary/Secondary

Comments: Appreciate strategies that emphasize need for investment in local and regional trails. Plan should recognize movement of people between Bay Area, Sacramento, and Stockton regions on megaregion highways, should consider repercussions of remote work on regional transportation, and should provide guidance on how broadband funding can be used. National Heritage Area provides opportunity to provide more jobs while promoting historic preservation, natural resource conservation, and recreation.

Project Size: Approximately 7,000 square miles

Farmland Conversion: Unknown but significant and unavoidable

Review of the Monitoring Enterprise in the Sacramento-San Joaquin Delta - (Delta Independent Science Board)

Draft for Comment

Authority: Non-jurisdictional project that may affect Delta resources

Zone: Primary/Secondary

Comments: Advocate for Delta as Place values to be part of the monitoring enterprise and suggest opportunities for social science research and monitoring. Support any efforts to make data accessible and to correct the data gaps in chemical contaminants, harmful algal blooms, non-native species, and dredging. Observed that the lack of targeted research on recreation and tourism is hindering management decisions.

Project Size: None

Farmland Conversion: None

Sacramento County

Sacramento Marina and Miller Park Boat Ramp Annual Maintenance Dredging

Notice of Exemption

Authority: Non-jurisdictional project that may affect Delta resources

Zone: Outside of Delta

Comments: Sediment accumulation and the difficulty of obtaining dredging approval are significant water-oriented physical and operational constraints on marinas. Appreciate City of Sacramento efforts to boost the economic health of the Delta region through dredging that benefits recreational boating.

Project Size: Up to 6,000 cubic yards of dredge material from two sites

Farmland Conversion: None

Contra Costa County

CR-A (Commercial Recreation-Aquatic) District Zoning Text Amendment (RZ 02-21) Negative Declaration

Amendment would provide new, and protects existing, commercial and recreational uses along the Oakley shoreline, providing enhanced opportunities for residents and visitors to enjoy Delta waterways.

Authority: Non-jurisdictional project that may affect Delta resources; Delta Trail

Zone: Secondary

Comments: The proposed zoning amendment could help provide benefits to Delta recreation and tourism. The Commission's recent update to the Recreation and Tourism chapter of the Economic Sustainability Plan noted the loss in recent years of businesses such as marinas, boat building and manufacture, given the importance of boating in the Delta recreation economy. The ESP update also cited the need for more overnight accommodation, and Great Delta Trail connections. Suggest encouraging lower cost public access, such as in the required Community Development Director findings for marinas and docks, and in the mix of restaurants and other services.

Project Size: Citywide, along City of Oakley waterfront

San Joaquin County

Development Title Text Amendment, Agricultural Mitigation

Proposed revisions include updating language pertaining to Qualifying Entity, Agricultural Technical Advisory Committee members and duties, and mitigation options.

Authority: Jurisdictional project; Non-jurisdictional project that may affect Delta resources; Delta Trail

Zone: Primary/Secondary

Comments: Recommend retaining requirement that conservation easements shall be perpetual in duration in the development title to ensure permanent Delta farmland protection as well as consistency with state law. Would like process to be better coordinated so that Commission staff can provide constructive participation earlier.

Project Size: Countywide

Farmland Conversion: Unknown

North Mokelumne River Multi-Benefit Project

Mitigated Negative Declaration, bring levees into compliance with the Delta-specific PL 84-99 Standard

Authority: Non-jurisdictional project that may affect Delta resources

Zone: Primary

Comments: Supportive of projects that provide needed flood protection and stability for the levee system, as well as fish-friendly habitat within the Delta. Appreciate efforts to review project for conflict with LURMP goals and policies.

Project Size: 16,000 linear feet of levee

Farmland Conversion: None

Yolo County

Bees Lakes Habitat Restoration Plan and Design Project

Mitigated Negative Declaration, Ecosystem, water quality, and recreational improvements at Bees Lakes site

Authority: Delta Trail

Zone: Secondary

Comments: Support projects that improve recreational opportunities for bicyclists, equestrians, and pedestrians within Delta. Hope to work with City to incorporate trails into Delta Trail.

Project Size: 47 acres

Farmland Conversion: None

Yolo Bypass East Levee

Environmental Assessment/Mitigated Negative Declaration, install stability berms, replenish waterside revetment, reconstruct maintenance roads, and improve levee drainage system

Authority: Delta Trail

Zone: Secondary

Comments: Support projects that provide needed flood protection and stability for Delta. Hope to work on possible locations for trails and potentially incorporate these into the Delta Trail.

Project Size: 15 acres

Farmland Conversion: None

Yolo County Housing Element

Authority: Jurisdictional project

Zone: Primary/Secondary

Comments: Supportive of policies that encourage a range of housing options for people of different income levels within the Delta. Recommend correction and clarification of Commission's work.

Project Size: Countywide

Farmland Conversion: None

2021 Membership

Commissioners

Don Nottoli, Chair

Supervisor, Sacramento County

Chuck Winn, Vice Chair

Supervisor, San Joaquin County

Oscar Villegas

Supervisor, Yolo County

Diane Burgis

Supervisor, Contra Costa County

John Vasquez

Supervisor, Solano County

George Fuller

Councilmember, City of Oakley

Paul Steele

Councilmember, City of Isleton

Alan Nakanishi

Councilmember, City of Lodi

James Paroli

Representative, Central Delta Reclamation Districts

Tom Slater

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

Land Management Division Chief,
California State Lands Commission

Ex Officio Members

Honorable Susan Talamantes Eggman

California State Senate

Honorable Jim Frazier

California State Assembly

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