



DRAFT SUMMARY MINUTES
Delta Protection Commission Meeting
Thursday, January 19, 2023

West Sacramento Community Center
1075 West Capitol Ave.
West Sacramento, CA 95691

1. Call to order

Chair Burgis called the meeting to order at 5:16 p.m. and led the meeting participants in a flag salute.

2. Welcome and roll call

Commission Clerk Morgan Matz called the roll. Present at roll call: Chair Burgis, Vice Chair Vasquez, Commissioners Villegas, Hume, Kott, Steele, Nakanishi, Slater, Agar (for Omishakin), Birdsong (for Ross), Gillies (for Bugsch), and ex-officio designee Udang (for Sen. Talamantes Eggman). Commissioners Ding, Paroli, Mussi, Vogel (for Crowfoot), and ex-officio Assemblymember Villapudua were absent with no alternate present.

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

Chair Burgis asked for public comment and there was none.

4. Report on Delta Stewardship Council activities

Chair Burgis reported no updates.

5. Commissioner comments/announcements

Commissioner Agar, on behalf of Caltrans, extended his sympathy for those affected by recent severe weather and offered assurance that disaster recovery efforts are ongoing, noting that an estimated \$120 million in damage had so far been sustained in Caltrans District 10 in 80 locations.

He also provided an update on the Clean California project, noting that the interagency agreement between Caltrans and the Commission is still in development but is making progress. He reminded the Commission that Caltrans is leading a Community Day Of Action on March 25, 2023, with supporting events such as litter pickup outings taking place in the week surrounding that day.

Finally, he noted that the most recent available map of Caltrans projects in the Delta region had been distributed to Commissioners and welcomed any questions regarding those projects.

Commissioner Steele announced two events taking place in Isleton: the Annual Spam Festival (February 19) and the Crawdad Festival (June 18-19).

Chair Burgis asked for public comment and there was none.

6. Special Recognition

Chair Burgis led a recognition of outstanding service for recently retired former Vice Chair, Chuck Winn.

CONSENT AGENDA

7. Consider approval of November 17, 2022 meeting minutes

Motion: It was moved by Commissioner Vasquez and seconded by Commissioner Villegas to approve the November 17, 2022 meeting minutes; in a voice vote, the motion passed 9-0-2 with all Commissioners present at roll call voting aye except for Commissioners Hume and Steele, who abstained.

8. Consider revision of 2023 meeting schedule

Motion: It was moved by Commissioner Vasquez and seconded by Commissioner Villegas to approve the revised 2023 meeting schedule; in a voice vote, the motion passed 11-0-0 with all Commissioners present at roll call voting aye.

9. Consider appointment of Dan Whaley to the National Heritage Area Advisory Committee

Motion: It was moved by Commissioner Vasquez and seconded by Commissioner Villegas to appoint Dan Whaley to the National Heritage Area Advisory Committee; in a voice vote, the motion passed 11-0-0 with all Commissioners present at roll call voting aye.

REGULAR AGENDA

10. Receive Executive Director report

Executive Director Bruce Blodgett reported that Commission staff had submitted the comments on the Delta Conveyance Project that had been approved by the Commission at the November 17, 2022 meeting. He also noted that a request submitted by the Commission for an extension of the comment period on the project's Draft Environmental Impact Statement and for in-person meetings to be held on the topic had been partially granted, with the comment period extended until March 16, 2023; however, the request for in-person meetings was denied.

He reported that Commission staff had also submitted a comment letter regarding the Delta Levee Investment Strategy consistent with the Commission's previous comments on the same topic. Additionally, the Commission had extended an invitation to the Delta Stewardship Council to take a tour of various levees in the Delta region, with the tour scheduled to take place on January 24, 2023.

He provided an update on Commission staffing changes, noting that Debra Waltman had been hired as an administrative manager and that Assistant Director Natasha Nelson would be ending her employment with the Commission at the end of January.

He reported that contract proposals related to the development of the National Heritage Area Management Plan had been reviewed and a potential contractor had been identified, and that meetings of the National Heritage Area Advisory Committee will be held virtually on February 2, 2023 and March 2, 2023. He also noted that the National Heritage Area Act, which extends various deadlines, adds new National Heritage Areas, and provides funding for the NHA program, had recently been passed by the U.S. Congress.

Finally, he invited Commissioners to review the comments, letters, project list, list of Delta area events, and budget tables included in the packet of meeting materials distributed to Commissioners.

It was noted that Commissioner Vogel arrived at 5:38 p.m.

Chair Burgis asked for public comment and there was none.

11. Consider approval of 2022 Annual Report

Senior Environmental Planner Kirsten Pringle provided background information on the intent of the Annual Report and the legislative requirements governing its production. She then drew attention to highlights of the report including: 23 comment letters submitted by the Commission regarding public works and policy; ongoing participation in the development and approval process for the Delta Conveyance Project; participation in the National Historic Preservation Act Section 106 process; the establishment of the “Delta As Place” work group; ongoing contributions to Delta economies, recreation, and tourism including the development of the Great California Delta Trail; support for expansion and enhancement of broadband internet access in the Delta region; and heavy involvement in the development of the Sacramento-San Joaquin Delta National Heritage Area.

Commissioner Hume commended Commission staff on the report and highlighted the Commission’s positive impact on recreation and tourism.

Chair Burgis asked for public comment and there was none.

Motion: It was moved by Commissioner Vasquez and seconded by Commissioner Kott to approve the 2022 Annual Report; in a voice vote, the motion passed 12-0-0 with all Commissioners present voting aye.

12. Delta As Place Reports

Gilbert Cosio, an engineer for 45 reclamation districts in the Delta with substantial experience with flood preparedness and recovery efforts, described the work he had performed in the region during multiple flood years. He emphasized that flood preparedness measures are key to preventing casualties and property damage, but that preparedness in the Delta is under threat

from a loss of generational and institutional knowledge as there can be many factors affecting flood impacts that are not readily observable. He encouraged outreach efforts aimed at gathering local knowledge from long-time residents as well as transferring that knowledge to new landowners, stakeholders, and governing entities in the area.

A brief discussion followed wherein Commissioners Nakanishi, Vogel, Steel, Hume, and Slater agreed that there is much work to be done in the area of flood preparedness; however, Commissioner Vogel noted that no levees maintained by the State of California were breached during recent severe weather events.

Chair Burgis asked for public comment and there was none.

13. Receive Delta Protection Advisory Committee Report

Executive Director Bruce Blodgett announced that the next meeting of the Committee will take place on February 7, 2023.

It was noted that Chair Burgis left the meeting at 6:21 p.m.

14. Discuss Section 106 consultation on Delta Conveyance Project

Program Manager Virginia Gardiner provided background on the Commission's consultation work regarding Section 106 of the National Historic Preservation Act, which requires federal agencies to consider the effects of federally funded projects on historic properties, as it relates to the Delta Conveyance Project. She emphasized the importance of gathering local perspectives on any project impacting life in the Delta as well as the Commission's ongoing commitment to the "Delta as Place" concept. She noted that decisions about how to protect historic resources through the Section 106 process in this case are made through consultation between the U.S. Army Corps of Engineers, the state Historic Preservation Officer, and the CA Department of Water Resources; however, other entities can be invited to be additional consulting parties. The Commission was invited to be one of these additional parties along with Sacramento, San Joaquin, Contra Costa, and Yolo counties.

She explained that the Commission was invited to share its knowledge about Delta history and heritage. Efforts to gather that knowledge included a feasibility survey and solicitation of comments from local historians and historical organizations, landscape architects, community organizations, and affected county staff. She noted that types of properties eligible for the National Register include buildings, structures, sites, objects, and districts, thus including Delta levees, islands, orchards, and other properties.

She then explained that the report produced by the Commission proposes that many properties and sites in the Delta such as agricultural and industrial sites and structures as well as various small communities are of historical importance and deserve protection. To this end, the Commission is requesting a Programmatic Agreement with the Corps of Engineers that meets four requirements: that the area considered is large enough to allow consideration of the full range of tunnel construction effects; that the project considers the cultural and historical significance of the landscape; that the public is provided a clear and low-stress process for

becoming involved in gathering and reviewing information relevant to the project; and that there is adequate opportunity to consider alternatives to the project.

She reported that Commission staff had reviewed and provided comment on a draft Programmatic Agreement in 2022, and that a revised Draft Programmatic Agreement is expected in the coming months.

Vice Chair Vasquez asked for public comment and there was none.

15. Discuss approach for comments on Delta Conveyance Project Draft EIS

Program Manager Virginia Gardiner reported that the Corps of Engineers had provided their Draft Environmental Impact Statement on the Delta Conveyance Project earlier than expected, and that the comment period will end on March 16, 2023.

She gave an overview of the ways in which Commission staff intend to build on comments previously submitted in 2020, emphasizing an expansion of comments related to cultural and historical resources, land use, recreation, agriculture, transportation, and environmental justice, and encouraging a “no action” alternative to the project.

Vice Chair Vasquez asked for public comment and there was none.

Motion: It was moved by Commissioner Villegas and seconded by Commissioner Kott to appoint Commissioners Villegas and Hume to an *ad hoc* committee to help prepare comments on the Delta Conveyance Project Draft EIS; in a voice vote, the motion passed 9-0-2 with all Commissioners present at roll call voting aye except Commissioners Vogel, Agar, Gillies, and Birdsong, who abstained.

16. Adjourn

Vice Chair Vasquez adjourned the meeting at 6:54 p.m.