



## PUBLIC NOTICE AND MEETING AGENDA

### **Delta Protection Commission**

Thursday, July 18, 2024, 5-7 p.m. (end time is approximate)  
Big Break Visitor Center  
69 Big Break Road, Oakley, CA 94561

#### **Agenda**

1. Call to order and Flag Salute
2. Welcome & Roll Call
3. Public Comment – an opportunity for members of the public to address the Commission regarding items not on the agenda

#### **Consent Agenda**

4. Approval of Draft May 16, 2024, Meeting Minutes (p. 3)

#### **Regular Agenda**

5. Report on Delta Stewardship Council Activities – Chair Diane Burgis
6. Report on Delta Protection Advisory Committee (DPAC) Activities – Anna Swenson (DPAC Chair)
7. Delta as Place Presentation, Status of Recreation in the Delta – Chris Lauritzen, lifelong marina operator of Lauritzen Yacht Harbor in Oakley
8. Executive Director’s Report – Bruce Blodgett, Executive Director (p. 8)
9. Approval of National Heritage Area Advisory Committee Charter (proposed changes) – Blake Roberts (p. 14)
10. Organizational Assessment Report – Bruce Blodgett, Executive Director (p. 29)
11. Commissioner Comments/Announcements
12. Adjourn

The agenda items listed above may be considered in a different order at the Commission meeting, subject to the discretion of the Chair. At the discretion of the Commission, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action. The Commission welcomes and encourages participation in its meetings. The Commission limits testimony to not more than three minutes per person, or more time at the discretion of the Chair.

## **Questions, Comments, and Requests**

If you have any questions or have a request for reasonable modification or accommodation due to a disability, please contact the Delta Protection Commission at [dpc@delta.ca.gov](mailto:dpc@delta.ca.gov) or (916) 375-4800. Attachments and additional information can be found on the Delta Protection Commission website: [delta.ca.gov](http://delta.ca.gov).

Comments submitted to [submit@delta.ca.gov](mailto:submit@delta.ca.gov) by noon on July 17, 2024, will be shared with Commissioners prior to the meeting to the extent possible. Public comments on each agenda item will follow the order of: 1) emailed comments, 2) those verbally requesting to make comments after notice offered by Chair during meeting.

## **Delta Protection Commission Members**

**Diane Burgis, Chair**, Contra Costa County Board of Supervisors | **John Vasquez, Vice Chair**, Solano County Board of Supervisors | **Oscar Villegas**, Yolo County Board of Supervisors | **Patrick Hume**, Sacramento County Board of Supervisors | **Tom Patti**, San Joaquin County Board of Supervisors | **Anissa Williams**, Cities of Contra Costa and Solano counties | **Paul Steele**, Cities of Sacramento and Yolo Counties | **Alan Nakanishi**, Cities of San Joaquin County | **Jim Paroli**, Central Delta Reclamation Districts | **Tom Slater**, North Delta Reclamation Districts | **TBD**, South Delta Reclamation Districts | **Toks Omishakin**, CA State Transportation Agency | **Karen Ross**, CA Department of Food and Agriculture | **Wade Crowfoot**, CA Natural Resources Agency | **Jennifer Lucchesi**, CA State Lands Commission

**EX OFFICIO MEMBERS:** **Carlos Villapudua**, California State Assembly | **Susan Talamantes Eggman**, California State Senate

**DRAFT Meeting Minutes**  
**Delta Protection Commission**

Thursday, May 16, 2024, 5 p.m.  
The Point Restaurant, 120 Marina Drive, Rio Vista, CA 94571

**Agenda**

**1. Call to order and Flag Salute**

Chair Tom Patti, substituting for Chair Diane Burgis, called the meeting to order at 5:08 p.m.

**2. Welcome & Roll Call**

Assistant Executive Director Debra Waltman called the roll. Present at roll call: Commissioners Patti, Paul Steele, Alan Nakanishi, Tom Slater, Shannon Shaw (for Anissa Williams), Dean Ruiz (for Nick Mussi), and Amanda Martin (for Wade Crowfoot). Chair Burgis and Vice Chair John Vasquez; Commissioners Oscar Villegas, Patrick Hume, Jim Paroli, Toks Omishakin, Karen Ross, and Jennifer Lucchesi; and ex-officio members Susan Talamantes Eggman and Carlos Villapudua were absent with no alternate present. At this time, we did not have a quorum.

Due to lack of a quorum, the Commission proceeded with discussing informational items: 3,5,6,7, and 8.

It was noted that Commissioner Brian Bugsch (for Lucchesi) arrived at 5:26 p.m. At this time, a quorum was present. Item 4 was then recalled by Chair Patti.

It was noted that Commissioner Christine Birdsong (for Ross) arrived at 5:27 p.m., just before moving to Item 9.

**3. Public Comment – an opportunity for members of the public to address the Commission regarding items not on the agenda.**

Chair Patti asked for public comment and there was none.

**Consent Agenda**

**4. Approval of March 7, 2024, Meeting Minutes**

**Motion:** It was moved by Commissioner Steele and seconded by Commissioner Nakanishi to approve the March 7, 2024, meeting minutes; in a voice vote, the motion passed 8-0-0 with all Commissioners present voting aye.

## **Regular Agenda**

### **5. Report on Delta Stewardship Council Activities**

Chair Burgis was not present, thus unable to deliver a report. Executive Director Blodgett stated that the Delta Stewardship Council will be meeting May 23 at the CNRA building in Sacramento.

### **6. Delta as Place Presentation**

President of the California Striped Bass Association (CSBA), Isleton-Delta Chapter, Ken Baccetti, spoke on their role as judges for the Rio Vista Bass Derby and Festival and how the declining populations of salmon and sturgeon have affected those Derby fishing competitions. This year and last, the salmon category had to be excluded due to the salmon season closures. Now with California Department of Fish and Wildlife limiting sturgeon catches for 2023-24, it was decided to also eliminate the sturgeon category and focus on striped bass and catfish. CSBA is a conservation organization whose primary focus is striped bass, but it partners with many other fisheries, actively participates in California Fish and Game Commission meetings, and is involved with organizations that all want to see the Delta thrive again. The Derby event will be held October 11-13.

Chair Patti asked how many participants were at last year's event. Baccetti responded there were about 300 adults and 45 children, but with a new focus this year on children they are expecting those numbers to reverse.

Chair Patti asked for public comment and there was none.

### **7. Report on Delta Protection Advisory Committee (DPAC) Activities**

DPAC Chair Anna Swenson reported on the April meeting, which included welcoming the new tribal member Steven Hutchason, a presentation on aquatic invasive species, and an update on the National Heritage Area (NHA). Also at the April meeting was a discussion about California Forever and questions surrounding the project, including where it would source its water. Lastly, there was a round table on the late Gerry Goodie to share memories and honor him.

Commissioner Slater asked if there was a representative from California Forever and she replied there has been no response from them yet, but she is continuing to send inquiries.

Chair Patti asked if there was anything actionable from the invasive species presentation. Patti commented on the idea of dredging, which could simultaneously maintain water channels and help remove invasive species.

Chair Patti asked for public comment and there was none.

## **8. Executive Director's Report**

Executive Director Bruce Blodgett covered various projects in his report including the NHA management plan, on which there would be a call with the National Park Service the next day, and the sixth annual Delta Heritage Forum, which is expected to be held at the Antioch Historical Museum this year. He reported that staff provided land use comments on the Contra Costa County General Plan EIR and now are working with Contra Costa County to put together findings for Commission consideration. He brought attention to the research Commission staff perform regularly for all land use reviews and the different sources they pull from. He then announced that Caltrans has cancelled the contract for Clean California interpretive and wayfinding signs and emphasized the need for creative solutions to move this project forward and to look county-by-county for relevant sign programs. Chair Patti asked if there could be an analysis done to find out how much is needed from each county. Director Blodgett agreed to have Commission staff put this information together.

Executive Director Blodgett expressed that Information Officer Holly Heyser has continued to be exceedingly successful with Commission communications. He drew attention to the list of popular media posts and articles, followed by upcoming Delta events. He ended by announcing the next DPC meeting in Oakley on July 18.

Chair Patti asked for public comment and there was none.

## **9. Abandoned and Derelict Vessel Removal Act**

Executive Director Blodgett reported on H.R. 7719, referring the Commission to the summary in the agenda packet on this federal legislation introduced by Congressman John Garamendi. This will allow the Coast Guard to coordinate with the Army Corps of Engineers to remove and inventory abandoned vessels. His recommendation was to write letters in support of this legislation. It was agreed that the DPC will generate a template letter to distribute to Commission members to take back to their cities and counties.

Commissioner Steele asked if law enforcement would go after people who abandon the vessels. The answer was the Coast Guard will attempt to identify the owner who shall be liable for the costs of removal and disposal and may be assessed a civil penalty.

Commissioner Bugsch stated the State Lands Commission (SLC) currently has \$12 million in funding for commercial vessel removal. He said the Department of Boating and Waterways deals with recreational vessels. He said on this specific issue the SLC already has an item to vote on for its June meeting agenda, so he would abstain from tonight's vote.

Chair Patti asked for public comment and there was one:

Alice LLano, a Delta resident, asked how people should report these abandoned vessels. Chair Patti responded to contact the County Sheriff Marine Patrol. Commissioner Bugsch stated Vicki Caldwell at SLC is their contact person.

**Motion:** It was moved by Commissioner Steele and seconded by Commissioner Shaw to approve sending letters of support for the Abandoned and Derelict Vessel Removal Act; in a voice vote, the motion passed 6-0-3 with six Commissioners voting aye, and three (Bugsch, Martin, and Birdsong) abstaining.

## **10. Delta Leadership Program Graduation**

Delta Leadership Program (DLP) Coordinator Erik Vink introduced the 2024 group of Delta Leadership Program graduates. This class is the eighth group of DLP participants, and the program now totals over 100 alumni. He also introduced the other leaders of the program, Lisa Beutler from the Stantec firm and Mike Campbell, who is president of the Delta Leadership Foundation. Class projects were then presented by the participants under the following themes: Delta Community – history of marginalized communities; Increasing awareness of the Sacramento-San Joaquin Delta NHA; and Directory of the Delta.

Chair Patti congratulated each graduate and presented them certificates of achievement as Coordinator Vink gave highlights of each individual's background.

Chair Patti asked for public comment and there was none.

## **11. Appointments to Delta Protection Advisory Committee (DPAC)**

Executive Director Blodgett mentioned the number of tremendous applicants received for the six vacant seats. It was such a great group that the few who are not recommended to move forward tonight are going to be recommended in coming years. He said the DPC will keep in contact and encourage them to stay involved.

Executive Director Blodgett recommended the appointment of Craig Watanabe (Delta Agriculture Seat 2), Emily Pappalardo (Delta Business Seat 2), Douglas Hsia (Delta Cultural Preservation), Katherine Wiley (Delta General Public Seat 2), Morris Lum (Delta Recreation Seat 2), and Erin Chappell (State Agency Seat 2) to DPAC for 3-year terms.

Chair Patti asked for public comment and there was none.

**Motion:** It was moved by Commissioner Nakanishi and seconded by Commissioner Martin to appoint Emily Pappalardo and Katherine Wiley, and to reappoint Craig Watanabe, Douglas Hsia, Morris Lum, and Erin Chappell to the Delta Protection Advisory Committee; in a voice vote, the motion passed 9-0-0 with all Commissioners present voting aye.

## **12. Commissioner Comments/Announcements**

Commissioner Shaw wanted to pass along a message from Commissioner Williams who could not be present: She expressed how excited she was to be on this commission and is looking forward to being at the meetings.

Commissioner Slater had a shout out for Judy Culbertson who took over the children's classroom at the California Farm Bureau 42 years ago and recently retired. She was given recognition the night before by Secretary Ross, who presented her a framed resolution for the outstanding job she did for over 40 years.

Commissioner Steele announced June 15 and 16 will be the Crawdad Festival. On May 26 around noon at the American Legion in Isleton will be a flag retirement ritual. Lastly, Commissioner Steele surmised that Interstate 80 is being developed into a toll road. He said it is currently being built by Highway 12 and Suisun City heading towards Vallejo. This is something that will affect the Delta as traffic gets diverted to Highway 160.

Commissioner Nakanishi responded saying the people to reach out to regarding this highway issue are your own local state Senate and Assembly members.

Chair Patti also responded saying he has a good working relationship with Caltrans in his District 10 and will ask them about the highway construction plans and the scope of this toll road. He planned to get information on any studies/results and have something to report next meeting.

Chair Patti asked for public comment and there were two:

Alice LLano would like to see the fourth-grade curriculum put into schools, particularly Clarksburg where they have project-based learning. She is willing to work on that and asked anyone wanting to help to contact her.

Anna Swenson announced the Pear Fair is adding a day for its 50<sup>th</sup> anniversary. It will be held on July 27 and 28.

## **13. Adjourn**

Chair Patti adjourned the meeting at 6:24 p.m.

# Delta Protection Commission Meeting

July 18, 2024

## AGENDA ITEM 8: Executive Director’s Report

**Prepared by:** Bruce Blodgett, Executive Director

**Presented by:** Bruce Blodgett, Executive Director

**Recommended Action:** Receive the Executive Director’s Report

**Type of Action:** Receive

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## Commission Budget Update

Budget and Spending for Delta Protection Commission - FY 23/24

Budget to Actuals as of 5/31/2024

<b>FY 23-24 Categories</b>	<b>Budget Amount</b>	<b>Total Expenses and Projections</b>	<b>Difference</b>
Salaries and Wages	\$1,515,000	\$1,168,315	\$346,685
Operating Expenses	\$821,000	\$510,980	\$310,020
Total	\$2,336,000	\$1,679,295	\$656,705

## National Heritage Area Management Plan

National Park Service and Department of the Interior staff are reviewing the management plan submitted March 12. The plan requires Secretary of the Interior approval. Commission staff are continuing to conduct outreach to Tribes as part of our tribal consultation process for the management plan.

## National Heritage Area Management Plan Advisory Committee

The NHA Management Plan Advisory Committee met June 18 to receive an update on the status of the management plan and to discuss proposed changes to the committee charter, planning for the America250 commemoration, planning for the Delta Heritage Forum, and the launch of the passport program.

## Delta Heritage Forum

The sixth annual Delta Heritage Forum is scheduled for Friday, November 15, 2024, at the Antioch Historical Museum. The forum is a free, full-day event each year focused on preserving and telling Delta stories, and providing opportunities for partnerships, collaboration, and networking.

## **Great California Delta Trail Master Plan – Clarksburg Branch Line Extension**

In February, Commission staff teamed with the City of West Sacramento, Yolo County, and Yolo Transportation District as the Yolo-Delta Trail Coalition to apply for a competitive grant to extend the Clarksburg Branch Line Trail, a trail corridor identified in the Commission’s Great California Delta Trail Master Plan (GDTMP). The Regional Climate Reduction Program Grant from the Sacramento Area Council of Governments (SACOG) uses funds from U.S. Department of Transportation. On June 20, SACOG approved a \$1,899,952 grant – nearly the full requested amount of \$1,974,077.

The grant funds an alternatives analysis, preliminary engineering and design, and right-of-way evaluation for 6.4 miles of Class I separated trail and fiber optic connectivity along the former Short Line Rail corridor. The goal is reducing transportation-related carbon emissions through implementation of a multi-use trail that would link residents of the Clarksburg community to West Sacramento and beyond.

The Coalition will engage with key project partners, including agricultural and adjacent property owners, tribal representatives, local businesses, community organizations, and residents through one-on-one interviews, workshops and other outreach. As envisioned, the Branch Line Trail would be a corridor including equestrian, walking/jogging, and bicycling paths. It would increase safety for bicyclists and pedestrians currently using South River Road or Jefferson Boulevard for active transportation and recreation where no bicycle or pedestrian facilities currently exist, and would significantly reduce bicycle commuting distance from Clarksburg.

The GDTMP was approved by the Commission in 2022. The plan, born from 2006 legislation, encompasses the Delta region, with the goal of linking the San Francisco Bay Trail System and planned Sacramento River Trails including but not limited to the Delta’s shoreline in Contra Costa, San Joaquin, Solano, Sacramento and Yolo counties.

## **Broadband**

Commission staff is working with Valley Vision to support an initiative by the City of Isleton to obtain a California Emerging Technology Fund Local Government Best Practices grant for \$20,000 to expand digital equity in the community. The grant requires no match or upfront expenditure of City funds. After participating in three “Learning Communities” workshops between September 2024 and March 2025, the grant will enable the city to undertake activities to promote digital inclusion and close the digital divide, such as providing computers for the library and elementary school.

## **Socioeconomic Indicators Update**

The Socioeconomic Indicators Report update that Commission staff presented draft findings from at the January 18, 2024, meeting is nearly complete. We are in final stages of verification analysis and anticipate presenting the final report and findings to the Commission later this year. Staff will be developing outreach materials including infographics and social media for presentation and distribution.

Commission staff are also working to coordinate presentation of the data in outreach efforts with the results of the Council's recently published Delta Resident Survey. The data, in anonymized format, is intended to be made publicly available for additional research on a separate website.

## **Commission Land Use Comments**

Commission staff engaged in both routine review of local government land use decisions and worked on specific land use applications and processes, such as the Contra Costa County General Plan Update and comments on the Zanker Road Resource Management (Zanker) application in Sacramento County.

### ***Routine Land Use Reviews***

- Staff continue to review local agency agendas and the Office of Planning and Resource postings for CEQA actions for all local agencies that make land use decisions in the Delta Primary and Secondary Zone. This weekly review process also includes public notices for permits for selected regulatory agencies. The total weekly review of agendas and updates includes approximately 65 agencies.
- Staff provides comments on major and minor land uses as necessary. For example, staff provided comments on a development proposal for residential land use on Bethel Island that directly abuts the island ring levee.

### ***Contra Costa County 2045 General Plan***

- Staff continue to work with Contra Costa County to develop policies to protect the Delta Primary Zone as required by Public Resources Code Section 29763. The trigger for the County to prepare policies to be consistent with the Land Use and Resource Management Plan (LURMP), is the adoption of the LURMP, which occurred in 2010.
- Staff prepared and the Executive Director reviewed and submitted a second letter on the proposed Zanker composting facility located in the Primary Zone in Sacramento County. The applicant's attorney (Abbott and Kindermann) had previously prepared and submitted a project "Justification Statement" to

Sacramento County. The justification statement argues the facility is oriented toward agriculture, such as composting of agricultural greenwaste that is required to be diverted from disposal by burning. The applicant's own documents contradict this statement, showing the facility is primarily oriented toward processing municipal greenwaste that is required to be diverted from landfills under California law. In addition, the project site currently operates as rangeland and provides habitat to 51 special status species. The letter to Sacramento County clarifies the facts regarding the proposed land use and the substantial impacts on the Delta Primary Zone.

- The Executive Director and staff also met with Bart McDermott, the refuge manager for U.S. Fish & Wildlife Stone Lakes National Wildlife Refuge (USFWS Stone Lakes NWR) and Rob Burness from the Ecological Council of Sacramento (ECOS). The Zanker facility would be inside the refuge boundaries. The "boundary" is not a designation of what USFWS owns in fee or manages but rather, the landscape that contributes to the ecological function of the landscape. The USFWS and ECOS both communicated opposition to the Zanker facility.

### **Proposed McDonald Island Hydrogen Storage Study**

PG&E currently operates a natural gas storage facility on McDonald Island in San Joaquin County. The facility also is inside the Delta Primary Zone. PG&E is partnering with Stanford University and Lawrence Berkeley National Laboratory to apply for grant funding from the California Energy Commission (CEC). The CEC is currently soliciting proposals for projects examining the technical feasibility of storing and retrieving hydrogen blends and pure hydrogen from underground storage sites. Eric E. Alvarez, of PG&E's Local Government Affairs division sent an e-mail to the general [dpc@delta.ca.gov](mailto:dpc@delta.ca.gov) e-mail address seeking a letter of support for this project. The Executive Director and staff met with Mr. Alvarez to gather more information. The initial project, if funded, would not result in hydrogen storage at McDonald Island. The initial project would consist of geotechnical investigations and scientific analysis to analyze both the suitability of the McDonald Island site and the overall technical feasibility of storing hydrogen. The Executive Director advised Mr. Alvarez that a letter of support was premature at this time and would likely require the input of the Commissioners themselves. Staff will continue to track this project as it develops.

### **Commission Communications**

We continue to expand feature-style content on our website, including more original articles pertaining to heritage months and other observances. As of this writing, here's what engaged audiences the most for the past two months (mid-April to mid-June):

[U-Pick Season Is Here and It's Delta-licious](#) (website story) – Number 1 on Facebook, the most clicks from *Delta Happenings*

[Festa: A Medieval Portuguese Tradition Thrives \(and Evolves\) in the California Delta](#) (website story – Portuguese National Heritage Month) – second most clicks from *Delta Happenings*

[Crawdad Festival photo gallery](#) (Facebook) – Number 2 on Facebook, fourth-most clicks from *Delta Happenings*

[Delta Protection Advisory Committee Members Appointed, Reappointed](#) (website story) – Number 3 on Facebook, Number 2 on Instagram

[Delta Leadership Program Graduates a New Class of Leaders](#) (website story) – Number 1 on Instagram, third most clicks from *Delta Happenings*

[Delta History: a March for LGBT Rights](#) (website story – Pride Month) – Number 3 on Instagram

Other popular topics in our newsletters and social media included the Mussel Sticker, the Great California Delta Trail, Yolo Basin Foundation Bat Talks and Tours, Yolo Duck Days, Asian American Pacific Islander Month, and an article about Chinatowns featuring Locke and Walnut Grove.

### **Upcoming Delta Events**

For the most current event listings, [subscribe to Delta Happenings](#) (delta.ca.gov/get-connected).

- July 27-28: Pear Fair 2024 in Courtland (50<sup>th</sup> Anniversary)
- Aug. 3: Buddhist Church of Stockton's Annual Obon Japanese Festival & Odori
- Aug. 10: Taste of the Delta in Stockton



# CEC Solicitation GFO-23-503 Feasibility of Underground Hydrogen Storage in California



## Overview






Pacific Gas & Electric (PG&E) is partnering with Stanford, Lawrence Berkeley National Laboratory (LBNL) and others to apply for the California Energy Commission (CEC) Solicitation “GFO-23-503 Feasibility of Underground Hydrogen Storage in California”

This project will develop technical and economic assessments of safely storing and retrieving hydrogen blends and/or pure hydrogen as well as California-specific decision-making tools, risk mitigation strategies, market and policy recommendations, and community engagement approaches related to those facilities.

As part of the application, PG&E is offering McDonald Island, an underground storage facility located near Stockton, California, to be evaluated and studied for the feasibility of hydrogen underground storage. This project will only conduct lab testing and a desktop study. There will not be hydrogen injection at McDonald Island.

Both Stanford and Lawrence LBNL are submitting applications. Shown below are their current partnerships for the project.

## Benefits

-  **Equity**      Creating new job opportunities in green energy sectors
-  **Safety**      Addressing safety risks related to clean energy storage
-  **Reliability**      Enhancing system reliability and long-term operational stability
-  **Improved Air Quality**      Replacing traditional natural gas with clean hydrogen
-  **Reduced GHG Emissions**      Integrating cleaner fuels such as hydrogen to reduce carbon emissions



## Stanford Partnerships



## LBNL Partnerships



## **Delta Protection Commission Meeting**

July 18, 2024

### **AGENDA ITEM 9: Approval of National Heritage Area Advisory Committee Charter**

**Prepared by:** Blake Roberts

**Presented by:** Blake Roberts

### **Recommended Action: Approval of National Heritage Area Advisory Committee Charter**

**Type of Action:** Vote

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#### **Background**

The Delta Reform Act of 2009 and Delta Plan Recommendation DP R1 called on the Delta Protection Commission (Commission) to pursue federal designation of the Delta as a National Heritage Area (Water Code Section 85301(b)(1)). Legislation establishing the Sacramento-San Joaquin Delta National Heritage Area (NHA) and designating the Commission as the local coordinating entity was signed into law on March 12, 2019.

The Commission's first primary task was to prepare and receive approval from the Secretary of Interior for a management plan to guide the NHA's activities for the next ten years. The Commission established the NHA Management Plan Advisory Committee in September 2020 to ensure public engagement in the management plan process. After the Commission approved the management plan on March 7, 2024, Commission staff formally submitted the plan to the Secretary of Interior on March 12. The NHA Management Plan Advisory Committee will sunset when the Secretary of the Interior approves the plan. As preparation of the plan shifts to plan implementation, the Commission needs to revise the committee charter to focus on partner and public involvement in achieving the goals set out in the management plan and to remove the sunset clause.

Using guidance from the management plan (Strategies 1.1.1, 2.3.1, 3.1.1, 4.1.1, 5.2.3, and 5.2.4), Commission staff prepared a draft charter for the new National Heritage Area Advisory Committee (NHA Advisory Committee). Following Commission review of the charter, Commission staff will solicit applications for the NHA Advisory Committee from interested members of the public, and work with members of a Commission subcommittee to suggest appointments at the September 19, 2024, Commission meeting.

## **Recommended Action**

Approve the National Heritage Area Advisory Committee charter and provide Commission staff authority to make administrative (non-substantive) changes as needed.

### ***Relationship to Vision 2030 (Commission strategic plan)***

#### *Delta Heritage (Strategic Theme)*

*H.2 Protect and promote the tribal, cultural, and historical resources of the Delta.*

*2.1 Implement the Sacramento-San Joaquin Delta National Heritage Area.*

## Charter for the Sacramento-San Joaquin Delta National Heritage Area Advisory Committee

The Delta Protection Commission (Commission) is committed to the protection and health of the Sacramento-San Joaquin Delta. We protect, maintain, enhance, and enrich the overall quality of the Delta environment and economy. We do this with a focus on agriculture, heritage, recreation, and natural resources while remaining mindful of the importance of the Delta to all Californians.

The John D. Dingell, Jr. Conservation, Management, and Recreation Act, which was signed into law on March 12, 2019, established the Sacramento-San Joaquin Delta National Heritage Area (NHA) and designated the Commission as the local coordinating entity. National Heritage Areas are defined by the National Park Service as living landscapes where historic, cultural, and nature resources combine to tell nationally significant stories. There are currently 62 NHAs. The designation affirms that the Sacramento-San Joaquin Delta NHA, an area that stretches from Sacramento to Stockton to Vallejo (see attached map), is a landscape of national significance, and supports the Commission's work in public education, historic preservation, tourism and recreation development, and economic development activities.

By this charter, the Commission establishes the Sacramento-San Joaquin Delta National Heritage Area Advisory Committee (NHA Advisory Committee) to ensure partner and public engagement in achieving the goals set out in the management plan. Five NHA advisory task groups on communications and marketing, cultural and historical resources, heritage development and tourism, interpretive planning, and natural resources will report directly to the NHA Advisory Committee.

### Purpose of NHA Designation

The Sacramento-San Joaquin Delta National Heritage Area Management Plan (dated March 12, 2024) describes five goals for the Sacramento-San Joaquin Delta NHA:

1. **Interpretation:** Guided by interpretation, and through institutional leadership and community projects, promote and instill an evolving understanding and appreciation of the historical and ongoing changes in the Delta's land, water, wildlife, and communities.
2. **Resource Stewardship and Enhancement:** Steward the heritage and culture of the Sacramento-San Joaquin Delta, by identifying, preserving, conserving, and enhancing the unique identity, resources, and living traditions of the Sacramento-San Joaquin Delta.
3. **Heritage Development and Tourism:** Support sustainable tourism and economic development by encouraging responsible use of, and visitation to, the Delta's unique resources and communities.
4. **Partnership:** Connect and support collaboration among governmental and nongovernmental partners, businesses, and residents to establish a brand that readily identifies the Delta NHA and increases public awareness.

5. **Organization:** Seek, establish, and maintain collaborative partnerships, effective governance principles, and sustainable business practices to manage the local coordinating entity and the NHA.

### **Purpose of the NHA Advisory Committee**

The purpose of the NHA Advisory Committee and advisory task groups is to provide the Commission with recommendations for policy, process, and governance in implementing the management plan and to act as ambassadors to the diverse partners and communities in the NHA, including government at all levels, businesses, landowners, agricultural, community, cultural, natural resource, and recreation groups, and the public. Commission staff will assist the NHA Advisory Committee and advisory task groups with preparing these recommendations and conducting public outreach. The NHA Advisory Committee and advisory task groups will help ensure that implementation of the management plan reflects the interests that are broadly important to Sacramento-San Joaquin Delta NHA stakeholders.

### **Advisory Committee Scope of Work**

The NHA Advisory Committee will be asked to make recommendations for policy, process, and governance and act as ambassadors to the diverse partners and communities in the NHA, including:

- Provide insights, recommendations, and feedback to enhance the effectiveness of the NHA program.
- Act as a bridge between the Commission and the broader community.
- Review, evaluate, and make recommendations to the Commission on grant applications to the NHA.
- Establish systems to measure the impact of the NHA's initiatives and gather feedback from stakeholders.
- Analyze data to make informed decisions and improve program effectiveness.

The NHA Advisory Committee will provide periodic progress reports (at least three times per year) to the Commission regarding the work of the NHA measured against the management plan and the designating legislation.

### **Membership Selection**

Members of the NHA Advisory Committee are volunteers who will be appointed by the Commission to serve for a single three (3)-year term, with the ability to be re-nominated for another two terms to ensure continuity and preserve expertise for the committee. Prospective members of the NHA Advisory Committee will submit an application to the Commission that summarizes their interests in serving on the committee and their relevant skills or experience, and other qualifiers the applicant thinks important. Members and alternates will be selected by

the Commission. A subcommittee of the Commission will review applications and provide recommendations to the full Commission.

The NHA Advisory Committee will be composed of the Chair and 14 members in addition to non-voting ex officio members representing the legislature and public agencies. The Commission's appointment of members will be guided by consideration of the mix of skills, experience, and perspectives that the committee will need to successfully guide implementation of the management plan and achieve the goals of the Sacramento-San Joaquin Delta NHA. NHA Advisory Committee members will also be selected to ensure geographic, cultural, and multigenerational representation from across the Sacramento-San Joaquin Delta.

The Commission will make four (4) or five (5) three-year appointments annually. Four (4) seats will expire in September 2025, five (5) seats in September 2026, and five (5) seats in September 2027. The expiration date for seats will be chosen randomly at the first NHA Advisory Committee meeting. The limitation on the number of terms a committee member can serve will not count those terms that expire in 2025 and 2026. The Commission will follow the same appointment process to fill vacancies when necessary to fulfill the remainder of the term.

The principal duties of NHA Advisory Committee members are to regularly attend and participate in bimonthly in-person committee meetings, to give their best advice for successfully implementing the management plan, and to conduct outreach to partners and communities in the NHA. Members will notify their alternate as early as possible if they are unable to attend a meeting. If a member misses a meeting, they are expected to review meeting minutes and ask any clarifying questions before the next meeting. In the case that a member is unable or unwilling to fulfill their duties, including missing three or more meetings in a calendar year or not upholding committee principles, the Commission may appoint a replacement to complete their term.

### **Member Representation**

Members of the NHA Advisory Committee serve as individuals who are encouraged to think broadly with diverse community interests in mind and beyond their own personal interests. Members are encouraged to use their personal and professional networks to gather input that can help inform the committee's work, though will not be asked or expected to speak on behalf of a group of which they may be a part.

### **Advisory Task Groups**

The Commission Executive Director or their designee will consult with the NHA Advisory Committee on selection of members for advisory task groups on communications and marketing, cultural and historical resources, heritage development and tourism, interpretive planning, and natural resources. As deemed necessary, the Executive Director or their designee may convene special task groups comprised of committee members to support temporary or occasional activities. The advisory task groups, which will be chaired by NHA Advisory Committee members, will report directly to the NHA Advisory Committee. Each NHA Advisory Committee member, excluding ex officio members, will be selected for at least one advisory task group, with no more than five committee members on a single advisory task

group. Any remaining members of the task group will be comprised of subject matter experts and stakeholders.

### **Administration of the Advisory Committee**

The NHA Advisory Committee is administered by the Commission in its capacity as the NHA local coordinating entity. The Commission's Executive Director or their designee will chair the NHA Advisory Committee, with a vice chair selected by the committee. Commission staff will support the NHA Advisory Committee in scheduling meetings, arranging meeting locations, preparing and distributing meeting notices and agendas, drafting minutes and staff reports, conducting outreach, and generally supporting meetings of the committee. Support for the operation of the NHA Advisory Committee will rely on existing Commission staff and resources, until such time as the State may allocate additional funds for the operation of the NHA Advisory Committee.

### **Principles**

The NHA Advisory Committee and advisory task groups are guided by respect, understanding, open communication, collaboration, inclusion, and pragmatism. Each individual member brings unique experience and perspectives that are acknowledged and respected by other committee members. Members seek to build and maintain positive working relationships with one another based on mutual trust and respectful understanding of differences. In soliciting public input, members are expected to acknowledge and be sensitive to disparities that exist in the community and consider forms of outreach that are inclusive of diverse perspectives and backgrounds. When there are differences within the committee, members seek to understand their differences, and to develop recommendations that are respectful of those differences.

### **Advisory Committee Decision-Making**

The NHA Advisory Committee will abide by a set of ground rules for how they operate (see Attachment B for ground rules). Committee members will be provided with relevant information and be given the opportunity to discuss and deliberate on issues before being asked to make their recommendations to the Commission.

The NHA Advisory Committee will strive for consensus when making its recommendations. If consensus cannot be reached after a good faith effort, the NHA Advisory Committee will determine recommendations based on a majority vote. When requested, minority opinions will be noted in meeting documentation, and specific points or issues where consensus could not be reached will be included.

### **Affirmative Duties, Limitations, and Protections**

The NHA Advisory Committee and the Commission, in its capacity as the local NHA coordinating entity, shall carry out the affirmative duties of the authorizing legislation in a manner consistent with the limitations of this authorization. Specifically, the NHA authorization does not:

- Abridge the rights of public or private property owner, including the right to refrain from participating in any plan, project, program, or activity conducted within the NHA;
- Require any private property owner to permit public access to its property or modify public access or use of the owner's property under any other Federal, State, or local law;
- Alter any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;
- Convey any land use or other regulatory authority to the local coordinating entity;
- Authorize or imply the reservation or appropriation of water or water rights;
- Enlarge or diminish the treaty rights of any Indian Tribe within the NHA;
- Diminish the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the NHA, or the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; and
- Create any liability, or affect any liability under any other law, of any private property owner with respect to any person injured on the private property.

## **Public Engagement**

The Commission is seeking strong public participation in the implementation of the management plan. In fulfilling those objectives, the NHA Advisory Committee will:

- Make meeting agendas, meeting notes, and other information about the NHA available on the Commission website.
- Invite community members across the Sacramento-San Joaquin Delta to participate in committee meetings and public forums.
- Recommend additional ways to reach communities and invite public input such as open houses, online surveys, and other means.

## **Bagley-Keene Open Meeting Act**

As an appointed committee of a state agency, the NHA Advisory Committee is governed by the Bagley-Keene Open Meeting Act which requires, among other things, that (1) an agenda be posted at least ten days in advance of any meeting; (2) the agenda describe specifically the items to be transacted or discussed; and (3) the NHA Advisory Committee to refuse to add an item after publication of the agenda. In addition to these general requirements, the Bagley-Keene Act includes other specific provisions and requirements concerning the announcement and conduct of meetings.

### **Ethical Responsibilities of Members**

No committee member shall participate in any specific matter, including a contract, agreement, grant, or related litigation with the Commission or any local or state agency, in which the member has a direct financial interest.

### **Term of Charter**

The NHA Advisory Committee has no sunset provision and is expected to operate while the Commission serves as the local coordinating entity for the NHA. However, the Commission may review and revise this charter when necessary, pursuant to a public discussion and vote on proposed revisions.

## Attachment A

### Excerpts from the John D. Dingell, Jr. Conservation, Management, and Recreation Act

#### TITLE VI—NATIONAL HERITAGE AREAS

##### SEC. 6001. NATIONAL HERITAGE AREA DESIGNATIONS.

- (a) In General.—The following areas are designated as National Heritage Areas, to be administered in accordance with this section:
- (1) <omitted>
  - (2) <omitted>
  - (3) <omitted>
  - (4) Sacramento-San Joaquin Delta National Heritage Area, California.—
    - (A) In general.--There is established the Sacramento-San Joaquin Delta National Heritage Area in the State of California, to consist of land in Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties in the State, as generally depicted on the map entitled “Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary”, numbered T27/105,030, and dated October 2012.
    - (B) Local coordinating entity.--The Delta Protection Commission established by section 29735 of the California Public Resources Code shall be the local coordinating entity for the National Heritage Area designated by subparagraph (A).
    - (C) Effect.--This paragraph shall not be interpreted or implemented in a manner that directly or indirectly has a negative effect on the operations of the Central Valley Project, the State Water Project, or any water supply facilities within the Bay-Delta watershed.
- (b) Administration.—
- (1) Authorities.—For purposes of carrying out the management plan for each of the National Heritage Areas designated by subsection (a), the Secretary, acting through the local coordinating entity, may use amounts made available under subsection (g)—
    - (A) to make grants to the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other persons;
    - (B) to enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other interested parties;
    - (C) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;
    - (D) to obtain money or services from any source including any money or services that are provided under any other Federal law or program;
    - (E) to contract for goods or services; and
    - (F) to undertake to be a catalyst for any other activity that furthers the National Heritage Area and is consistent with the approved management plan.

- (2) Duties.—The local coordinating entity for each of the National Heritage Areas designated by subsection (a) shall—
- (A) in accordance with subsection (c), prepare and submit a management plan for the National Heritage Area to the Secretary;
  - (B) assist Federal agencies, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, nonprofit organizations and other interested parties in carrying out the approved management plan by—
    - (i) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Area;
    - (ii) establishing and maintaining interpretive exhibits and programs in the National Heritage Area;
    - (iii) developing recreational and educational opportunities in the National Heritage Area;
    - (iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Area;
    - (v) protecting and restoring historic sites and buildings in the National Heritage Area that are consistent with National Heritage Area themes;
    - (vi) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Area; and
    - (vii) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the National Heritage Area;
  - (C) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Area in the preparation and implementation of the management plan;
  - (D) conduct meetings open to the public at least semiannually regarding the development and implementation of the management plan;
  - (E) for any year that Federal funds have been received under this subsection—
    - (i) submit to the Secretary an annual report that describes the activities, expenses, and income of the local coordinating entity (including grants to any other entities during the year that the report is made);
    - (ii) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and
    - (iii) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the organizations receiving the funds make available to the Secretary for audit all records concerning the expenditure of the funds; and
  - (F) encourage by appropriate means economic viability that is consistent with the National Heritage Area.

- (3) Prohibition on the Acquisition of Real Property.—The local coordinating entity shall not use Federal funds made available under subsection (g) to acquire real property or any interest in real property.
- (c) Management Plan.—
  - (1) In General.—Not later than 3 years after the date of enactment of this Act, the local coordinating entity for each of the National Heritage Areas designated by subsection (a) shall submit to the Secretary for approval a proposed management plan for the National Heritage Area.
  - (2) Requirements.—The management plan shall—
    - (A) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Area;
    - (B) take into consideration Federal, State, local, and Tribal plans and treaty rights;
    - (C) include—
      - (i) an inventory of—
        - (I) the resources located in the National Heritage Area; and
        - (II) any other property in the National Heritage Area that—
          - (aa) is related to the themes of the National Heritage Area; and
          - (bb) should be preserved, restored, managed, or maintained because of the significance of the property;
      - (ii) comprehensive policies, strategies and recommendations for conservation, funding, management, and development of the National Heritage Area;
      - (iii) a description of actions that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to take to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Area;
      - (iv) a program of implementation for the management plan by the local coordinating entity that includes a description of—
        - (I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and
        - (II) specific commitments for implementation that have been made by the local coordinating entity or any government, organization, or individual for the first 5 years of operation;
      - (v) the identification of sources of funding for carrying out the management plan;
      - (vi) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the National Heritage Area, may best be coordinated to carry out this subsection; and
      - (vii) an interpretive plan for the National Heritage Area; and

- (D) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area.
- (3) **Deadline.**—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the local coordinating entity shall be ineligible to receive additional funding under this section until the date on which the Secretary receives and approves the management plan.
- (4) **Approval or Disapproval of Management Plan.**—
- (A) **In General.**—Not later than 180 days after the date of receipt of the management plan under paragraph (1), the Secretary, in consultation with State and Tribal governments, shall approve or disapprove the management plan.
  - (B) **Criteria for Approval.**—In determining whether to approve the management plan, the Secretary shall consider whether—
    - (i) the local coordinating entity is representative of the diverse interests of the National Heritage Area, including Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;
    - (ii) the local coordinating entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and
    - (iii) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the National Heritage Area.
  - (C) **Action Following Disapproval.**—If the Secretary disapproves the management plan under subparagraph (A), the Secretary shall—
    - (i) advise the local coordinating entity in writing of the reasons for the disapproval;
    - (ii) make recommendations for revisions to the management plan; and
    - (iii) not later than 180 days after the receipt of any proposed revision of the management plan from the local coordinating entity, approve or disapprove the proposed revision.
  - (D) **Amendments.**—
    - (i) **In General.**—The Secretary shall approve or disapprove each amendment to the management plan that the Secretary determines make a substantial change to the management plan.
    - (ii) **Use of Funds.**—The local coordinating entity shall not use Federal funds authorized by this subsection to carry out any amendments to the management plan until the Secretary has approved the amendments.

- (d) Relationship to Other Federal Agencies.—
  - (1) In General.—Nothing in this section affects the authority of a Federal agency to provide technical or financial assistance under any other law.
  - (2) Consultation and Coordination.—The head of any Federal agency planning to conduct activities that may have an impact on a National Heritage Area designated by subsection (a) is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.
  - (3) Other Federal Agencies.—Nothing in this section—
    - (A) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;
    - (B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of a National Heritage Area designated by subsection (a); or
    - (C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.
- (e) Private Property and Regulatory Protections.—Nothing in this section—
  - (1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within a National Heritage Area designated by subsection (a);
  - (2) requires any property owner—
    - (A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or
    - (B) to modify public access or use of property of the property owner under any other Federal, State, or local law;
  - (3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;
  - (4) conveys any land use or other regulatory authority to the local coordinating entity;
  - (5) authorizes or implies the reservation or appropriation of water or water rights;
  - (6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Area;
  - (7) diminishes—
    - (A) the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within a National Heritage Area designated by subsection (a); or
    - (B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or
  - (8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.
- (f) Evaluation and Report.—
  - (1) In General.—For each of the National Heritage Areas designated by subsection (a), not later than 3 years before the date on which authority for Federal funding terminates for each National Heritage Area, the Secretary shall—
    - (A) conduct an evaluation of the accomplishments of the National Heritage Area; and

- (B) prepare a report in accordance with paragraph (3).
- (2) Evaluation.—An evaluation conducted under paragraph (1)(A) shall—
  - (A) assess the progress of the local management entity with respect to—
    - (i) accomplishing the purposes of the authorizing legislation for the National Heritage Area; and
    - (ii) achieving the goals and objectives of the approved management plan for the National Heritage Area;
  - (B) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in each National Heritage Area to determine the impact of the investments; and
  - (C) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.
- (3) Report.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.
- (g) Authorization of Appropriations.—
  - (1) In General.—There is authorized to be appropriated for each National Heritage Area designated by subsection (a) to carry out the purposes of this section \$10,000,000, of which not more than \$1,000,000 may be made available in any fiscal year.
  - (2) Availability.—Amounts made available under paragraph (1) shall remain available until expended.
  - (3) Cost-Sharing Requirement.—
    - (A) In general.—The Federal share of the total cost of any activity under this section shall be not more than 50 percent.
    - (B) Form.—The non-Federal contribution of the total cost of any activity under this section may be in the form of in-kind contributions of goods or services fairly valued.
  - (4) Termination of Authority.—The authority of the Secretary to provide assistance under this section terminates on the date that is 15 years after the date of enactment of this Act.

## **Attachment B**

### **Ground Rules**

NHA Advisory Committee members commit to:

- Beginning and ending meetings on time.
- Participating in each meeting to the best of their abilities to ensure continuity throughout the process.
- Treating everyone and their opinions with respect.
- Allowing one person to speak at a time.
- Commenting constructively and specifically.
- Engaging in honest, open-minded, constructive, and good-faith discussions to seek understanding and optimal decisions and outcomes.
- Coming prepared for meetings by reading materials prior to the meeting, thinking through questions, and developing responses and discussion ideas.
- Consulting regularly with their particular constituencies and providing input to the discussions from those constituencies.
- Operating according to, and staying focused on, the committee's specific charges.
- Not attempting to represent the views of the committee as a whole to the public except as clearly agreed upon.

# Delta Protection Commission Meeting

July 18, 2024

## AGENDA ITEM 10: Organizational Assessment Report

**Prepared by:** Debra Waltman

**Presented by:** Bruce Blodgett

**Recommended Action:** Informational

**Type of Action:** Receive

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### Background

In October 2023, staff engaged in a contract with a consultant to conduct a comprehensive organizational and future needs assessment that evaluated operations, activities, programs, communications, documents, duties, tools and resources and interviewed staff and Commissioners to identify the Delta Protection Commission's strengths, opportunities and threats in the following areas:

- A. Leadership, Organizational management and Agency culture
- B. Structure and Decision Making
- C. Work Process and Systems
- D. Human Resources
- E. Delta Protection Commission programs

### Current Status

The final organization assessment report was completed on April 26, 2024. The document will act as a guide to enact changes to the Delta Protection Commission operations, including future budget increase requests.

Among the findings, the report concluded that:

1. The Delta Protection Commission has a quorum problem that the stakeholders aren't seeing in their other bodies,
2. Commissioner training and education is minimal,
3. The Delta Protection Commission does not have a champion at the State level,
4. The Delta Protection Commission staff don't have a robust sense of teamwork,
5. DPC senior staff are not well connected to the larger State organization; only one staff person regularly participates in peer group activities with other state agencies;

6. The Delta Protection Commission lacks sufficient permanent staff positions to accomplish the current workload,
7. The Delta Protection Commission does not have an annual work plan that implements Vision 2030, nor does it track outcomes in a meaningful way,
8. The DPC's activities are too extensive for the current size of the organization;
9. The new NHA Management Plan contains recommendations for staffing and resources that the organization is not currently prepared to meet;
10. The Delta Protection Commission as an agency does not consistently perform employee evaluations.
11. The DPC does not have a comprehensive, current employee handbook;
12. Not all employees Duty Statements are well-aligned with their current work or the current organizational chart and established practice, and will need additional revision pending any further changes following this report;
13. The DPC's proposed organizational structure, as show in Figure 2, is adequate for current and projected staffing into the next two to three years, with span of control not exceeding six position for any one supervisor;
14. The Delta Protection Commission does not have established patterns of transparent or collaborative decision-making about operations of programs.
15. The Delta Protection Commission lacks comprehensive internal documentation of processes,
16. Committee and Commission meeting agendas, packets and minutes aren't completed to a consistently high standard;
17. Staff expectations around responsiveness aren't aligned.

While some of items were already underway at the time of the assessment, such as an Employee Handbook and a Public Meeting Handbook, the Delta Protection Commission staff are developing and implementing solutions.

### **Recommended Action**

Receive file

Relationship to Vision 2030 (Commission strategic plan)

Commission Leadership and Development

C.1 Support Commission members, so that each member can operate at their most effective level.

1.1 Develop and implement a Commissioner Orientation program

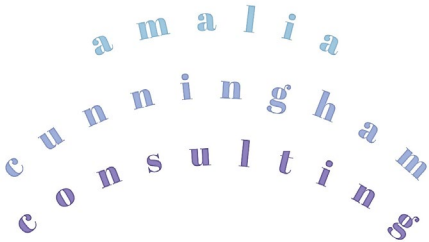
1.2 Ensure well-informed and prepared Commission members

C. 3 Recruit, develop and maintain effective Commission staff.

3.2. Annually review staff needs, expertise and organization capacity.

Evaluate long-term needs for positions and levels of expertise and ensure that staff have the necessary resources and training to successfully perform their functions.

**State of California Delta Protection Commission**  
**Organizational and Future Needs Assessment**



April 26, 2024

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## Acknowledgements

The consultant acknowledges with gratitude and respect the commitment and candor shown by the staff of the DPC and the commissioner-stakeholders who shared their experiences and professional opinions in the course of developing this assessment.

# Executive Summary

This Organizational and Future Needs Assessment was conducted for the State of California Delta Protection Commission (DPC) by Amalia Cunningham Consulting during the time period of November 2023 through April 2024. The assessment's scope of work encompassed document review of background materials and DPC reports, interviews with staff and stakeholders, and an analysis of findings with recommendations to improve operations and outcomes.

The assessment concludes that the DPC's small, committed staff would benefit from an increase in resources, including but not limited to more training and personnel, to serve the agency's mission in an even more professional and productive manner. An array of proposed improvements to operations will support the DPC's continued excellence. The main recommendations (referred to by their number within Chapter 4) are that the DPC should:

- Recruit and hire new positions (P.1),
- Create an annual work plan with pared-down, realistic activities and goals for the year (P.2),
- Focus the Commission on a menu of possible solutions to its quorum problem (L.1),
- Conduct annual performance evaluations, including a review of Duty Statements (HR.1, HR.3),
- Implement higher standards for public meeting materials (WP.2) and a Commissioner education program (L.2),
- Continue to build documentation for DPC procedures and processes, focusing on the land use review function and an employee handbook as top priorities (WP.1, HR.2),
- Commit to the goals of a collaborative culture and improved communication to address the teamwork deficit (L.4, SD.2),
  - Decision making should be clear,
  - Consider refinements to the remote work policy, and more investment in remote collaborative strategies,
  - Training on internal customer service, building a high-trust workplace, collaboration in a hybrid remote environment, and management skills,
  - Establish expectations from leadership for office functions like responsiveness.
- Prepare to properly staff the National Heritage Area Management Plan implementation work in the future (P.4),
- Recruit a champion at the State level for the DPC's mission (L.3),

- Build relationships with peers at other State agencies and seek out more professional development through the State's resources and programs (L.5).

The analysis described in Chapters 2 and 3 supports these findings, while Chapter 4, Recommendations, details the approach to each one.

## Chapter 1. Project Introduction

The Delta Protection Commission was created in 1992 by the State of California to provide land use review and oversight, heritage and recreational planning, and local community support in the Sacramento-San Joaquin Delta region, with further definition of its role delineated by the 2009 Delta Reform Act. It is a State agency under the California Natural Resources Agency (CNRA), but operates semi-independently in that its Executive Director is appointed by and reports to a 15-member Commission rather than the Governor or a State department head. The Commissioners are a mix of elected officials from the Delta region, stakeholders from the region, and appointed state officials. The Delta Protection Commission's staff are State employees. The Delta Protection Commission's activities cover the five-county Delta region in Northern California, with a physical office in West Sacramento, California.

Following changes in business operations after the COVID-19 pandemic and turnover in many positions, the new staff leadership team at the Commission determined to assess the current status of operations and best practices moving forward with professional assistance. The project aligns with the Commission's "Vision 2030" strategic plan's Capacity Building objectives.

A Notice to Prospective Bidders for Organizational Business Consultant Services dated August 17, 2023 was issued; after proposals were submitted to the Department of General Services, Amalia Cunningham Consulting was awarded a contract to provide an Organizational and Future Needs Assessment for the Delta Protection Commission (DPC). The consultant was not previously acquainted with any of the DPC staffers and approached the assignment free from bias.

The contractual project scope from the Notice included the following key tasks:

- Overview meeting with all staff,
- Document review,
- Staff interviews,
- Stakeholder interviews,
- Data analysis,
- Administrative draft report,
- Final report.

The deliverable was scoped to provide recommendations, taking into account strengths, opportunities, weaknesses, and threats, in five main areas: Leadership, Organizational Management and Agency Culture, Structure and Decision-Making, Work Processes and Systems, Human Resources, and Programs.

Project work began in late fall 2023 after the contracting process was completed, with virtual kickoff meetings with the DPC's contract manager, the Staff Services Manager I/Assistant Executive Director, and Executive Director. Document review mainly transpired from November

2023 through January 2024.<sup>1</sup> The overview meeting with staff took place in December 2023, along with the individual interviews with staff members in place at that time. Additional staff comments were received through January 2024. Stakeholder interviews took place in January-February 2024.

The assessment focuses on the unique strengths and challenges of the Delta Protection Commission at this moment in time and projecting into the future. As with any organization, this assessment reflects material, personnel, and conditions in effect during the study period. All these inputs are dynamic and subject to change.

While the Delta Protection Commission was responsible for ensuring this assessment was completed on time and within budget, the findings, recommendations, and conclusions are those of the consultant.

*Terminology notes:*

The term “Delta” is used frequently in this report. Unless otherwise noted, it refers to the jurisdiction of the DPC as defined by statute and represented by the map posted on the DPC’s public website.<sup>2</sup> The terms “primary zone” and “secondary zone”, which are common parlance in the field of Delta planning and regulation, and which come up in the context of the DPC’s responsibilities, are indicated on the same map. This representation is generally consistent with and defers to the definitions in Public Resources Code Sec. 29728 and 29731.

The terms “commission” and “commissioner” are used frequently in this report. Commission with a lower-case c is used as a synonym for “DPC”, the acronym meaning the agency as a whole, inclusive of the board and the staff. Commission with an upper-case c refers to the 15-member board. Commissioner is capitalized when referring to one specific member of the board (even if anonymous), but if it is not capitalized, it refers to any commissioner.

<sup>1</sup> Full list of documents reviewed is included as Appendix A; documents included in Appendix A are not linked in footnotes.

<sup>2</sup> [Delta map](#) downloaded 2-2-24 from Delta Protection Commission website.

## Chapter 2. Delta Protection Commission Overview and Unique Qualities

Originally created in 1992 by the Delta Protection Act, the Delta Protection Commission is the oldest and smallest of the State of California’s three Delta-focused agencies, with 8.4 authorized staff positions and an annual budget of \$2,336,000 (FY23-24), entirely from special funds.<sup>3</sup> The DPC is the State’s designated lead agency for Delta land use, heritage, and support. Its role was refined in 2009 with the passage of the Delta Reform Act (“Act”). The Act directed the DPC to work in concert with two newly created agencies, the Delta Conservancy (Conservancy) and Delta Stewardship Council (DSC) in service of the State’s statutory coequal goals for the Delta - water supply reliability and ecosystem resiliency – that should be pursued in a manner that protects and enhances the Delta as an evolving place.<sup>4</sup> Additional objectives of the State’s Delta policy concern agriculture, habitat, recreation, flood protection, economic and cultural vitality, and more. The full California code sections contain a number of provisions that guide the work of the DPC and the other state agencies involved in Delta work.<sup>5</sup>

By comparison, the Conservancy, the State’s lead on ecosystem restoration and economic development, has 14.5 authorized positions and a budget of \$10,311,000. The DSC, the lead for vision, regulation, and science, has 74.5 positions with a \$28,615,000 budget. All three agencies are housed within the California Natural Resources Agency (CNRA) and their work covers much the same Delta geography, an identified area in parts of five California counties.<sup>6</sup>

The DPC’s Executive Director is appointed by and reports to the Commission, a 15-member body composed of county and city representatives from the Delta, along with state officials. The DPC staff are State employees. Other State agencies provide some administrative support to the DPC: Procurement goes through the Department of General Services (DGS), legal services are provided by the Department of Justice, and Information Technology is provided by Department of Water Resources (DWR). Human resources services are transitioning from DGS to the Department of Parks and Recreation (as of early 2024). DPC pays the other departments for these services. This administrative arrangement highlights how the DPC is semi-independent from but highly reliant on the larger State governmental infrastructure. The DPC is also subject to all the same reporting and administrative requirements as the large departments, with fewer staff to address them.

It is important to note that an inherent tension present since the initiation of the DPC, and increased after the passage of the Act and its many complexities, is the DPC’s role in preserving compatible land uses such as agriculture within the Delta primary zone. This precludes growth in revenue through development as much of the rest of California has seen. Some Delta

<sup>3</sup> Agency budget information downloaded 1-22-24 from the California Department of Finance [E-Budget](#).

<sup>4</sup> Public Resources Code (PRC) Sec. [29702\(a\)](#).

<sup>5</sup> The full codes are PRC Sec. [29700-29780](#) and Water Code Sec. [85000-85350](#).

<sup>6</sup> While the agencies’ geographies overlap substantially, the Conservancy and DSC extend into Suisun Marsh while the DPC does not; additionally, the NHA area does not overlay the entire legal Delta.

stakeholders feel that there was initial intent to secure alternate sources of funding for Delta needs, such as levees and community projects, that has not yet come to pass. This background helps contextualize some of the community engagement challenges and high tensions in the work of the DPC.

## Commission Meetings

The Commission is required by statute to meet at least bimonthly in a Delta location, and the meetings are considered public meetings under California open government law. The established practice has been to identify the regular meeting dates at the start of the calendar year and seek rotating locations at civic buildings and public venues such as restaurants in the Delta, with an effort to select a mix of sites around the large jurisdiction. Because the meeting sites vary, in the past year, DPC staff prepared a comprehensive meeting set-up guide to ensure the standards of open meeting laws are met regardless of rotating venue and logistical challenges.

The meetings are typically fairly brief with agendas consisting of updates and informational items from staff, partner agencies, and the advisory committee, which usually meets in the alternate months from the Commission. Each Commissioner has an appointed alternate who may attend in their stead with voting rights if they are normally a voting member. The State legislators are not voting members.

## Core Programs

Core programs are those that are required by Federal and State legislation. The DPC's core programs are:

### Federal:

- Coordination of the designated Sacramento-San Joaquin Delta National Heritage Area (NHA):
  - Develop a management plan, covering a specific set of topics and issues, for approval by the Department of Interior and the National Park Service, and implement its goals thereafter,
  - Form and staff an NHA advisory committee, with prescribed membership categories.

### State:

- Staff the Commission and hold bimonthly Commission meetings in the Delta,
- Provide land use review in the Delta primary zone,
- Provide an appeal venue for proposed projects, and develop and adopt the administrative procedures for that function,
- Form and staff a Delta Protection Advisory Committee, with prescribed membership categories,
- Provide recommendations to the DSC on preserving the Delta as an evolving place,

- Develop and implement an Economic Sustainability Plan (ESP) covering certain topics and making recommendations therein to DSC and DWR; the plan must be reviewed or updated in years ending in a 1 or 6,
- Develop, review, and maintain a Resource Management Plan covering a long list of complex subjects, such as “preserve and protect the water quality of the Delta”<sup>7</sup>,
- Submit an annual report to the Governor and Legislature covering progress on a lengthy set of defined topics and benchmarks,
- Develop and implement a Great California Delta Trail Master Plan (GCDTMP), with funding plan, a technical committee, and an advisory committee.

This is a significant number of core programs. While the Resource Management Plan, now referred to as the Land Use Resource Management Plan (LURMP), ESP, and GCDTMP have been completed since their legislative origins, they all require ongoing review and periodic updates or amendments as part of their implementation, with the ESP’s updates being most strictly prescribed. The NHA management plan was being finalized as of the time of preparation of this assessment, meaning that its implementation is not yet officially underway. Many of the committees to support these plans still exist and some meet as frequently as bimonthly although none have mandated frequency.

The core programs list does not include the numerous meaningful activities that the DPC may engage in by statute, which include but are not limited to: commenting on projects within the secondary zone if the potential project impacts the primary zone, commenting to the DSC on the cultural, recreational, and agricultural impacts of any project covered by the DSC’s Delta Plan, and seeking outside funding to implement its programs. The core programs list also doesn’t include staffing the additional committees and task forces established by the Commission.

A major area of work for the DPC over the past decade or so has been tracking and commenting on a major capital project sponsored by DWR, referred to as the Delta Conveyance, which was brought forward in service of one of the coequal goals, safe and reliable water supply. This has been a controversial proposal from some perspectives; ultimately the DPC was the only State agency to publicly oppose it as of 2023. During the course of the research for this assessment, it became clear that the pending project and the role of the DPC in commenting on it has been a stressful backdrop to the agency’s other work, and accentuated staff’s feelings about high-stakes work with odds stacked against them. As of the time of this assessment, the proposal is in a relatively quieter phase and it may be the case that the DPC’s higher-profile, formal role as commenter has moved into a lower-profile stage (while still involving significant technical work). As one project in the land use review core function, it has consumed enormous amounts of staff time due to its potential generational impacts.

## Work Program

The DPC’s strategic plan, “Vision 2030”, most recently updated in 2021, identifies nine broad themes covering all aspects of Delta planning. At least since 2021 in staff recollection, there has

<sup>7</sup> PRC Sec. [29760](#).

not been an internal agency-wide work program for staff use that ties back to the Vision 2030 themes or the core programs. The required annual report provides progress updates on activities for the agency as a whole. Additionally, the “Objectives and Key Results” (2023) administrative report to the State gives more information about some of the DPC’s ongoing initiatives and their progress. While all within the DPC’s extensive legislative scope, activities are driven by commissioner, committee, or staff interest, funding availability, and external deadlines or responsibilities, such as the NHA deadlines and the land use review project timelines.

The NHA has its own required Management Plan, released as a public draft on Feb. 5, 2024, which contains an implementation plan specific to the NHA. When approved by the National Park Service (NPS), this will become part of the mandatory reporting to the NPS to track progress in a wide range of activities related to running an NHA, including hiring five new staff positions.

Each position’s “Duty Statement” (job description) prescribes the type of activities that may be done in that classification. Specific assignments are made by supervisors. There is not a standard work program format throughout the agency, although the Finance and Administration group uses the same work tracker.

## Staffing and Organizational Structure

Staffing was at a low point during the time of preparation of this assessment. Although authorized at 8.4 positions, the DPC had five full-time staff on hand at the time of individual interviews in mid-December, 2023. The authorized permanent positions are:

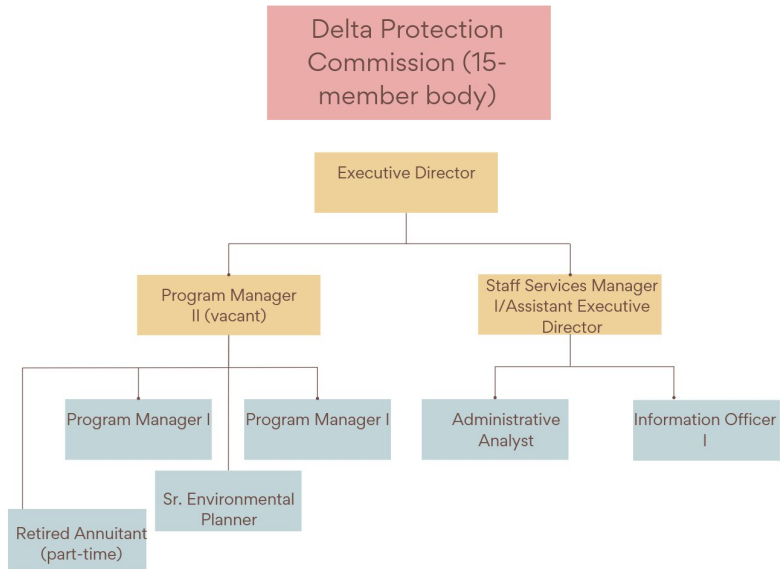
Finance and Administration: One Executive Director, one Staff Services Manager I (SSMI)/Assistant Executive Director, one Public Information Officer, and one Administrative Analyst (filled in late December 2023 after a vacancy of many months).

Programs: Two Program Manager I’s (PMI), one Senior Environmental Planner (filled in January 2024 after being vacant approximately six months), one Program Manager II (PMII) (unfilled for more than a year to date), and one Retired Annuitant (part-time).

Day-to-day activities are organized such that the Executive Director is the main liaison with commissioners and external relations, as well as the final authority on programs and operations of the agency. On the programs side, three roles are generally assigned as follows: one PMI supports the NHA activities, one senior environmental planner conducts land use review, and one PMI supports recreation planning. The vacant PMII role was the supervisor of all three positions and managed some projects. The Retired Annuitant position, limited in annual hours worked, is assigned to the Delta Leadership Program. On the administration side, the SSMI is responsible for oversight of budget, information technology, contracts, grants, human resources, facilities, communications, and more. The newly upgraded and filled Administrative Analyst position is the Commission clerk, and the Information Officer supports public information and communications. The SSMI and PMIs also supervise student assistants working on various

projects. (The student assistants are temporary, part-time employees and not shown on the organizational chart.)

**Figure 1. Delta Protection Commission Organizational Chart (2024)**



## Workplace

The DPC is required by statute to maintain a physical office in the Delta. The DPC’s headquarters is in an office building in an industrial part of the City of West Sacramento within the Delta secondary zone. The staff work in the office on a hybrid remote or mostly remote schedule. The small office suite has a reception area with a desk, kitchenette, small conference room, two private offices, and a hoteling area with three workstations. When staffed at six positions or more, it is not possible for all staff to work in the office at the same time without utilizing the conference room for individual workstations.

## Organizational Maturity

While the DPC is about 30 years old, the Delta Reform Act of 2009 altered the context and role it served, by creating two additional Delta agencies. Aspects of the DPC’s function date from its inception, but in other ways it feels like the DPC’s age dates from 2009 and for the purposes of organizational analysis, it more closely fits the young or growth stage than the mature stage. The DPC’s growth has been slow but steady in recent years, from 5.8 authorized positions in 2017-18 to today’s 8.4. The current SSMI position, managing the administrative functions of the DPC, is one of the newly added positions and had not existed prior to 2022. This is useful context for some of the administrative work in progress that would typically be characteristic of a younger organization.

## Chapter 3. Employee and Stakeholder Feedback

Individual perspectives of employees and stakeholders, in this case current and former commissioners, is essential to a thorough analysis of organizational culture and its future needs.

### Employees' Perspectives and Experiences

DPC staff input was received through four channels:

- Project kickoff calls with the Assistant Executive Director and Executive Director,
- Presentation and discussion at a staff meeting held virtually,
- Individual interviews with five staff members, four in person and one by phone,
- Follow up input/additional thoughts following the interviews, received from various staff members via email, phone, virtual meeting, and comments on the administrative draft assessment.

At the time of the project kickoff and employee interviews, November-December 2023, staffing was at a low point, with only five of the authorized eight full time positions filled. This had been the case since summer 2023, with staff recollecting the last time the agency was fully staffed was in 2019-20 and then only briefly.<sup>8</sup> By late January 2024, two more positions had been filled (Senior Environmental Planner and Administrative Analyst). The Program Manager II position remains unfilled as of the date of this analysis. The new employees and the part-time Student Assistant were not included in the interviews. Due to the small size of the staff, identifying details are omitted in the feedback presented here.<sup>9</sup>

The interviews covered the same list of questions for everyone, starting with length of service. Of the five employees interviewed in December 2023, two had been there since before COVID hit in March 2020, with approximately six and seven years' tenure at the DPC. The remaining three had started approximately 16 months, 12 months, and six months ago. This makes it clear that the staff group is in transition and rebuilding mode, and very occupied with actively hiring for two positions while keeping programs moving forward. Four of the five employees had work experience at another State agency earlier in their career while one was new to State service.

Workload strain showed up as the top theme in the employee comments, with concerns expressed about the standards of work products, ability to complete work, people covering staffing gaps to the detriment of their own work program, and people working outside their Duty Statements (State job description). These comments were sometimes people's concerns about their own workload and sometimes concerns about other staffers' workload or the agency generally.

<sup>8</sup> Consultant notes from group discussion at staff meeting held December 5, 2023.

<sup>9</sup> Unless otherwise noted, employee comments were made as part of the staff meeting in December 2023 or individual feedback to the consultant in December 2023-March 2024.

Another major theme that came up repeatedly in the employee feedback was pride in serving as the “Voice of the Delta”, with most employees citing that as a key component of the DPC’s work that they take very seriously. Almost everyone said that they looked out for the local Delta communities, that they valued being good partners with the local residents and stakeholders, and that they were aware that this was reflected in resident surveys showing that the DPC is the most trusted state agency among respondents.

A challenge perceived by most of the staff was the feeling that the DPC was not given significant authority or resources to execute its mission among all the competing interests in the Delta. In its role as advisor to the DSC and Conservancy, the DPC staff sees their organization as relatively weaker in influence, resulting in some staff feeling like the high stakes of their work wasn’t fully appreciated by others inside the agency, and constantly under threat from outside parties with Delta interests. This siege mentality seems to color the day to day work environment, with almost all the employees expressing a sense of being underappreciated by colleagues, State partners, or the State infrastructure, along with self-reported high stress. This is compounded by being a small State agency deeply reliant on other departments to operate, with frustrations inherent in that structure.

The final major theme of the employee feedback was concern over the recurrent problem with achieving a quorum at the Commission meetings. This has grown more acute in the past year, with some 2023 meetings starting late, and one starting informal discussion without a quorum until a missing member was contacted during the meeting and asked to join it. Staff reports spending significant time preparing for meetings and doing additional work to confirm attendance. At this point, staff feels like each Commission meeting is borderline as to whether a quorum will show up, and feel like it reflects poorly on the DPC operation and the respect the staff would like to maintain in the community. This is closely intertwined with a related issue many staff raised, which is that the meeting agendas are largely updates and presentations, with very little discussion or engagement, including public comment. Although the meetings are conducted in compliance with the DPC’s legislative direction, most staff expressed uncertainty if they are useful to the Commissioners or the public. Staff tried to address the quorum issue by sending out a date survey, but got less than full participation. One staffer referred to this issue as “demoralizing”.

Other themes appeared in some, but not all, of the employee comments. The most common of these was concern about the longstanding minimal documentation of procedures and policies, large and small, combined with questions around how official policies and procedures are determined. Comments showed frustration with the lack of existing documentation as well as internal tensions about prioritizing and making decisions about procedures and policies.

Another recurrent theme was the feeling that there was not a sense of internal teamwork. Ancillary concerns raised in this sphere covered brusque, inadequate, or no communication, decision-making perceived as being opaque or made with insufficient input, and working in isolation or silos. One staffer recalled that everybody recently came together to pitch in on an issue with a timing crunch, and they thought it felt good to briefly be part of a team despite the pressure of the stressful short-term situation.

Finally, additional comments raised by two or three staff members are that the unfilled programs and administrative positions create more work for existing staff to backfill, and that while basic technology needs are met, it can be difficult to access technology training and to secure access to specialized technology needs. For example, one staff person is working on DPC projects using a personal software license because it is easier than getting State authorization to buy and install the program on a State computer. As another example, the DPC's Geographic Information Systems needs are provided by an arrangement with the Conservancy but the DPC staff feels like their projects are low priorities with long waits for service.

## Stakeholders' Perspectives and Experiences

Stakeholder comments reflect the DPC's operations and effectiveness from the perspective of its governing board. The stakeholders were all current or former Commissioners, also representing other categories of partners with the DPC, such as reclamation districts and local government. As a group, the stakeholders' involvement with the DPC is of longer tenure than the staff, with their length of service on the Commission ranging from more than 20 years, to the most recent stakeholder with about five years of service, and the others with more than 10 years. Given the high priority the staff places on local communities, the stakeholders, who represent local interests, provide important data points on qualitative results.

DPC staff provided contact information for the Stakeholder category of interviewees. The four stakeholders were individually interviewed by phone or virtual meeting in January and February 2024.<sup>10</sup> The stakeholders were asked the same standard list of questions, differing slightly from the staff questions. The stakeholders' comments have had identifying details removed.

The quorum problem was one of the major themes emerging from the stakeholder feedback. While they felt sympathy for their busy colleagues' challenges in making it to physical meetings at occasionally inconvenient meeting sites, they felt like it was embarrassing to be sitting and waiting for missing members to show or not knowing if they would. They also expressed strong commitment to meeting in person in a Delta location to make it easier for residents to attend, although one noted they regularly felt disappointed by the lack of public participation.

All the stakeholders sit or sat on other public bodies without the same frequency or severity of quorum problem. The interviewees acknowledged the quorum issue must be difficult for staff, with one stakeholder articulating that the staff cares a lot about the work so the commission should care enough to make the meetings. Some said they didn't understand why the alternates weren't being tapped to fill in at meetings, and they would be willing to make calls to other commissioners to discuss attendance.

Another major theme was a sense of responsibility in serving as the representative of local voices for such a significant region, despite the pressures. There was a feeling of taking the "protection" part of the DPC's name literally. One stakeholder said that the Delta seems like "a target" and "a fragile environment", another noting that the State "limits" them, a third referring to "threats" on

<sup>10</sup> All comments and quotes are from these interviews.

the Delta, and the fourth describing the work as “fighting to protect the Delta” but feeling like they would “never win”. One commented that the DPC was affected by the Delta communities’ feelings of being “disenfranchised” [by the State] which affects the tone of their interactions with DPC staff. Nevertheless, the stakeholders expressed strong commitment to their role of elevating local community voices, despite this inherent tension. They also expressed a sense that the DPC input was valued at the DSC.

The stakeholders noted that it takes time to ramp up to a good understanding of the role of commissioner, and that there was historically minimal training in this regard. One noted with appreciation the recent “Commissioner Binder” which had been prepared and distributed in 2023 as a helpful step forward in this regard. The stakeholders noted that longer service on the commission gave them more assurance of how to respond to issues or what questions to ask, with limited support from DPC staff to scaffold their individual research. Some of the stakeholders have access to staff from their home organization to help with reading the materials while some do not. “Commissioner education is not a priority”, according to one stakeholder; DPC “doesn’t provide a lot in that space”, said another. One wondered if this might be a factor in the quorum problem, if it were the case that newer commissioners didn’t feel engaged in or even fully understand the DPC’s work from the start of their service. The stakeholders felt that it can be “tough” to be a new commissioner, due to the complexities of the issues. When a new commissioner joins, it “can change the tone”.

The stakeholders’ comments indicated awareness of the staffing gap particularly as it related to finishing key project milestones, but not necessarily of its extent and impact. In general, commissioners interact with only the Executive Director outside of meetings. One commented that the staff seemed “stretched” and they didn’t want to bother them. One articulated that the DPC’s overall workload was divided between long-term initiatives and short-term ongoing tasks, and that it didn’t seem like they were staffed enough to meet both types of work. Another commented that it could do so much more with more staff, but that it had been an under-resourced agency since its inception. One stakeholder observed that the advisory committee had a tendency to drift beyond its scope, contributing to extra work and inefficient meetings.

## Chapter 4. Findings and Recommendations

This chapter synthesizes the documents reviewed, the staff and stakeholder input, and best practices in the planning field, in the context of a small agency operating in a big government structure, to present key findings with recommendations to address them. A finding is the consultant's professional opinion framed as a statement about the current status in a given area, while a recommendation is one or more suggestions to improve operations and efficiency, recognizing the interplay of issues that contribute to inefficiencies and gaps in performance. Recommendations cross-reference each other in places, indicating a complex issue.

The overarching themes of the findings are that the DPC is composed of commissioners and staff who care deeply about the Delta communities and their future, with people working hard but feeling overwhelmed and stressed due to organizational challenges. The DPC is presently insufficiently staffed for its legislative core functions, and grossly under-resourced for its entire slate of activities. This will grow more acute in the future when the National Heritage Area (NHA) implementation comes fully online with a big increase in staffing and funding needs.

The findings and recommendations are grouped in the categories identified in the contract scope as areas of inquiry. The first one is prioritized; the remaining four are in no order.

### Leadership, Organizational Management, and Agency Culture

This topic comes first because effective, meaningful leadership is the foundation of organizational health. The Commission provides leadership to the DPC. Day to day staff leadership is provided by the Executive Director with delegation in some matters to the Assistant Executive Director/Staff Services Manager I.

The strength of the Commission's leadership is the members' close ties to the local governments and other partners on the ground in the Delta, fostering the commitment to serving as the Voice of the Delta and bringing forward local communities' concerns, which permeates the organization's culture. The weakness of the leadership and culture is that the work is seen as an uphill, under-resourced battle, creating a siege mentality and workplace stress for the staff. Compounding this is the sense that some commissioners are disengaged and the struggle to achieve a quorum which weighs heavily on staff, and the reality that the commissioners are juggling many other responsibilities (by definition, since their other offices qualify them to sit on the Commission). There is an opportunity to improve commissioner education and engagement, although that is threatened by competing priorities, communication difficulties, and the daily churn of the ordinary workflow.

#### **L.1:**

**Finding:** The DPC has a quorum problem that the stakeholders aren't seeing in their other bodies.

**Recommendation:** Focus the Commission’s attention on this critical issue by preparing an agenda item that presents a menu of options for how the Commission wants to tackle its quorum problem; follow through on the Commission’s preferred options.

Best practices in achieving meeting participation in post-COVID California, fully compliant with new open government laws, are still emerging. Options for solutions to offer the Commission for them to direct staff to pursue include:

- Pilot a fixed location approach: select one physical location at which to hold all the meetings over the course of a year to evaluate if consistency aids attendance,
- Review current best practices for public meetings, including venue selection, to ensure that the Commission meetings facilitate engagement,<sup>11</sup>
- Design meatier agendas - strategize each meeting agenda to present more action items, more discussions, and fewer updates,
- Review the type of meeting expenses could be reimbursed under Public Resources Code Section 29737,
- Make regular calls to all members before the meeting by senior staff after agenda is published (being mindful to avoid a serial meeting),
- Ask members to volunteer to reach out to members who are absent and unexcused about notifying staff and sending alternates,
- Consider holding meetings at two noticed physical locations to reduce travel times,<sup>12</sup>
- Ensure all members are aware of the teleconferencing options and procedures under “just cause” exemption; review the costs and benefits of the technology to facilitate its use,<sup>13</sup>
- Although the staff sent out a meeting time survey to the Commission in 2023 that didn’t garner full participation, revisit meeting time every year with the seated Commissioners.

The quorum problem is the Commission’s problem, but this recommendation acknowledges that staff supports Commission leadership in solving it and, once that need is addressed, it will free up staff time in advance of meetings, help morale, and make for more productive meetings.

## **L.2:**

**Finding:** Commissioner training and education is minimal.

**Recommendation:** Build on the recent accomplishment of creating a Commissioner Binder by developing a Commissioner Orientation session that is offered to all new Commissioners on an individual basis when they join the body. This is an objective in Vision 2030 that hasn’t been implemented yet, and given the under-engagement of some commissioners, should be a priority. The Orientation should cover not just public meeting laws, but the history of the DPC, the core programs and authorizing legislation, and the type of projects likely to be heard by the Commission. This Orientation would be provided by the Executive Director along with a rotating additional staff member to help build relationships and provide a training opportunity. It could also be offered to new committee members, with a clear explanation of the committee’s scope.

<sup>11</sup> See American Planning Association’s [“Guide to Choosing the Best Meeting Venues”](#) (2020).

<sup>12</sup> The Sonoma-Mendocino Economic Development District, a public body with a similarly large, multi-county geography, does this; see recent [agenda](#) for a regular meeting with three physical venues.

<sup>13</sup> Government Code Sec. [54953](#).

### **L.3:**

**Finding:** The DPC does not have a champion at the State level.

**Recommendation:** Knowing that new position requests will be coming and that the already heavy slate of activities will be increased by the implementation of the NHA, DPC needs more champions who are influential at the State level to advocate for more resources - a larger budget and more positions. DPC's two Commissioners who are state legislators or their designees should be proactively engaged to enhance the support at the State level. Other State officials can also be identified who may be willing to help with advocacy. This will help address the sentiment of being overlooked or dismissed by the larger State structure, which has become an identified morale issue. The outreach will be done best by one or more Commissioners along with executive staff.

### **L.4:**

**Finding:** The DPC staff currently doesn't have a robust sense of teamwork.

**Recommendation:** Seek meaningful ways to build up an inclusive, cooperative team, with more investment in remote collaborative practices. None of the interviewed employees reported feeling like they were on a supportive team as an entire staff, which is a concern given the small size of the organization. It did not seem like this was a recent development but that, with heavy staff turnover in 2022 and 2023, it had become more acute. The recommendations to address this are closely tied to other areas, such as staffing and decision-making, and would require everyone on staff to recommit to the effort led by executive staff.

Turnover and vacant positions are clearly two big factors in the diminishing sense of teamwork, and those issues are addressed elsewhere in this report. The DPC staff's varying hybrid-remote work schedules may be another factor contributing to the disconnect. Managing a hybrid-remote team is an advanced leadership skill. In a fully remote work environment, there are entirely remote techniques for team building, but in this case the hybrid aspect means that some staff are interacting in person on a semi-regular basis, but others are not. Some staff expressed concerns about others' calendars, which can happen in an environment when some are in office visibly working, and others are working remotely, out of sight. Partially remote teams are more prone to interpersonal challenges, especially when more senior employees are remote and newer employees are in person, because it depresses the skills accumulation of newer employees.<sup>14</sup>

While most or all staff attend the Commission meetings in person, they are infrequent and don't allow for the casual work interchanges that build collegial relationships. It seems as if some staff don't feel like they know everyone or feel equally comfortable working with everyone. Many organizations and companies are settling on a required one or two days in office to meet the needs of improving interpersonal relations balanced with employee flexibility.<sup>15</sup> This is validated by an updated State directive at the time of finalizing this report; a memo from Cabinet Secretary Ann Patterson was issued, requiring most State employees to work in the office at least two days per week beginning in June 2024, for the benefits of "enhanced collaboration, cohesion, and

<sup>14</sup> ["The Power of Proximity to Coworkers"](#), Federal Reserve Bank of New York (July 23, 2023), Natalia Emanuel et al.

<sup>15</sup> ["Remote work is harder to come by as companies push for return to office"](#), National Public Radio (September 1, 2023), Stephanie Hsu.

communication, better opportunities for mentorship, particularly for workers newer to the workforce, and improved supervision and accountability”.<sup>16</sup>

The statutory requirement that the DPC, with its place-specific mission, maintain an office in the Delta is another consideration; while the DPC is meeting the letter of the law for location, the current hybrid or mostly remote workplace may not be meeting the spirit of the law. Additionally, its small suite in an industrial area of West Sacramento doesn't give any sense of the Delta as a special place, nor can the current employee count be physically present together without using the conference room as individual workspace.

Beyond the hybrid remote work and physical situs complications, explicitly prioritizing a collaborative team culture as a goal and including it as a topic for individual employee feedback should be prioritized. “Relationships with people” is a scored category on the State performance appraisal form, and that should be taken seriously at the DPC. It is to be hoped that implementation of some of these recommendations will require colleagues to work together on projects in a way that organically builds bridges, such as collaboratively developing an annual work plan. That said, facilitated group training on teamwork and trust in the workplace and internal customer service, along with executive leadership training, would be useful, and a corollary recommendation is to research what providers are available through the State for these necessary skills trainings.

#### **L.5:**

**Finding:** DPC senior staff are not well connected to the larger State organization; only one staff person regularly participates in peer group activities with other state agencies.

**Recommendation:** The senior staff (Executive Director, Assistant Executive Director, Program Managers) should seek out peer groups with colleagues in other agencies, especially the other small CNRA organizations, to complement the various interagency working groups some of the staff participate in that are focused on very mission-specific or technical agenda items. It seems like it’s been very useful for the one employee who is plugged into groups of people with a similar function to get training support specific to that role. There’s also immense value in networking to glean best practices within peer agencies. Informal learning opportunities are critical to navigate the complexities of State bureaucracy when part of a small agency without much pull on its own. These networks can facilitate more workarounds to maneuvering within State regulations, such as options for sharing contracts or administrative functions across agencies. Participation in professional associations is another avenue for meeting this need, especially one with robust membership among State employees. This is an important activity that will benefit organizational health, and should form part of each person’s individual work plan.

### Programs

Its established, respected programs are the DPC’s main strength, as well as the fact that it has an adopted strategic plan, Vision 2030. The forthcoming implementation of the NHA’s Management Plan is an opportunity to grow the slate of activities, with the threat being inability

<sup>16</sup> [“Newsom orders state workers back to the office”](#), Politico (April 10, 2024), Wes Venteicher.

to grow at the pace of new activities - due to State budget concerns and slow State hiring processes - and further aggravating the staffing gap and workload issues. The current weakness in programs is the lack of sufficient staff at all levels, particularly the longstanding vacancy on the programs side. Even having two positions recently filled will not substantially address the staff feedback regarding workload.

**P.1:**

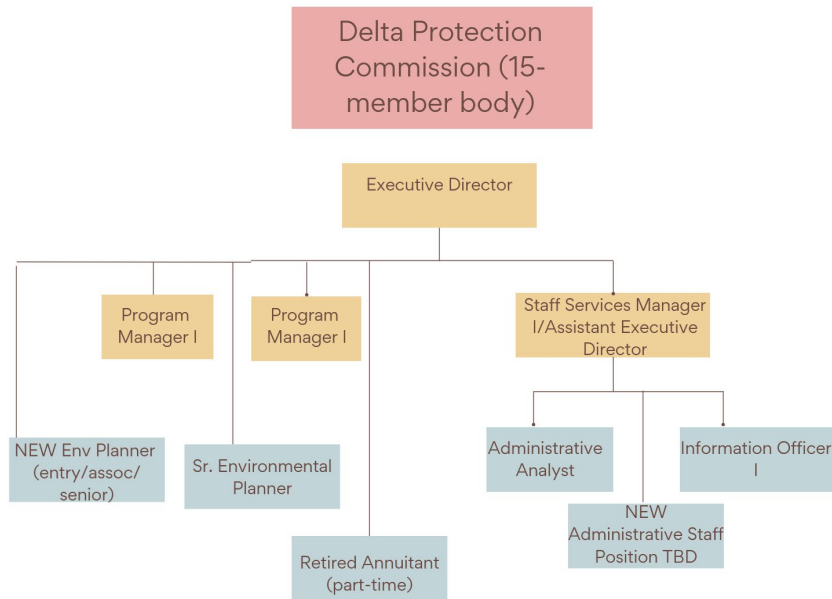
**Finding:** The DPC lacks sufficient permanent staff positions to accomplish the current workload.

**Recommendation:** Repurpose the authorized PMII position into two positions and/or utilize unspent budgeted funds for limited term positions. The authorized PMII position has been held vacant for a combination of factors including the difficulty in recruiting candidates who both meet the qualifications of a PMII (a management classification that crosses State agencies) and have the technical skills for Delta work. Executive staff feel strongly that it's all but impossible to fill.

The current agency model, when and if staffed up with a PMII, has the advantage of a structure with two coequal sections - programs, and finance and administration (F&A). Each of those sections has a section leader - PMII in programs and SSMI in F&A. However, in practice the two section leaders are not organizational peers due to difference in classifications. On top of the recruitment difficulty, this leads to the recommendation to take the unused funding for the PMII and apply it to create and fill two entry to mid-level new positions, an environmental planner (at entry, associate, or senior level) in programs followed by an additional F&A staff person, classification to be determined after the new planner is hired and the remaining savings can be correctly estimated. Given that the new positions would be a repurposing of an existing budgeted position, it is a proposal with a reasonable chance at implementation according to staff. Additionally or alternatively, another solution for filling new roles quickly would be to make the new positions limited-term. The limited-term hiring authority could bring on two or more new staff, with the potential to turn them permanent in a year or two through Budget Change Proposals. The DPC is anticipated to have unallocated funding at the close of the 2023-24 fiscal year, which could be used for this purpose according to staff.

It is important to emphasize that separate from NHA implementation, at least one new planner position is needed to cross-train in each of the main program areas, bolstering in-house capacity and reducing impacts of staff transition when they occur. The new F&A staff position would take on more of the lower-level administrative tasks now done by many staff, taking time away from other duties. This would emphasize that the Administrative Analyst position is focused on public meeting activities, an area needing work (Recommendation WP.2). The proposed new staffing level is Figure 2 (representing the current analysis prior to a formally approved NHA Management Plan with its staffing recommendations). Repurposing the PMII into these new positions is the first phase of staffing the DPC appropriately for its mission and core functions. As it currently stands, the DPC capacity is not enough to keep programs going seamlessly during staffing transitions or extended staff absences, placing the organization at risk of not meeting its legislated core functions.

**Figure 2. Proposed Delta Protection Commission Organizational Chart**



Staff has shared that the State issued guidance regarding reductions in Statewide spending for 2023-24 and 2024-25. In times of budget crisis, there will always be a risk of fund reduction, so this is an example of an issue which is not entirely within the DPC’s control.

**P.2:**

**Finding:** The DPC does not have an annual work plan that implements Vision 2030, nor does it track outcomes in a meaningful way.

**Recommendation:** Priority activities should be assembled into an annual work plan to guide efforts and track output, and make sure staff and commissioners alike are aware of the year’s goals. This will provide a framework to ensure core programs are moving forward in concert with support activities, review staff assignments, share information, etc. This could be considered the annual implementation plan called for by Vision 2030, which is so broad that it can’t be achieved in a year. This is a common management strategy even in small agencies; for example, the Sierra Nevada Conservancy, another small CNRA organization, has an Action Plan which lays out the activities it will take over a fiscal year in service of its overarching plan. The Sierra Nevada Conservancy’s action plan acknowledges that what it can do depends on “availability of funding, staffing changes, and state policy priorities.”<sup>17</sup> The format can be as simple as a table listing the tasks under a core program, the objective under Vision 2030, the assigned staff, and the meaningful milestone(s) to accomplish in 12 months, and the outcomes from last year’s tasks. It doesn’t have to be a big production - it’s a staff document, for staff use.

**P.3:**

**Finding:** The DPC’s activities are too extensive for the current size of the organization.

<sup>17</sup> Sierra Nevada Conservancy 2023-24 Action Plan, p. 3.

**Recommendation:** Unless and until the DPC is staffed up to about 10 positions, the slate of activities must be pared down to that which is doable by the number of staff and contractors on hand, or the current feelings of stress and being overwhelmed could lead to continuing staff turnover and/or extended leaves.

In conversation with the staff team and the Commission, who seem as a body to be well aware that the DPC is a small, under-resourced agency, executive leadership should review current activities and pare them down by 25-30%. Without pre-empting the staff discussions on this, and not wanting to get ahead of the annual prioritization process (Recommendation P.2), this could include both little ways to save a couple hours here and there, to big strokes that acknowledge a given activity is on hold for a year due to staffing. Examples of minor time savings in the service of streamlining effort include things like reducing the number of DPC committee and task force meetings outside the legislative requirements, moving big events like the annual forum to a biannual schedule, cutting back on newsletters and time spent at outside meetings (other than trainings), and similar reprioritization of effort. More significant time savings would result from harder decisions like shifting some of the DPC's activities that exist outside specific legislative mandates with deadlines, to another agency or putting them on hold for a year. Anything in this category should be closely examined as part of the annual work plan preparation to verify its priority level, with the current human resources available.

**P.4:**

**Finding:** The new NHA Management Plan contains recommendations for staffing and resources that the organization is not currently prepared to meet.

**Recommendation:** The Management Plan is a required component of maintaining the NHA, with a public review draft released in February 2024, approved by the Commission, and submitted to the Department of Interior/National Park Service on March 12, 2024. Peer-reviewing the plan is beyond the scope of this assessment; the public review draft is presumed to be a professional, reliable planning document. It is also assumed that after it is duly finalized and adopted, the draft's recommendations for implementation are likely to be included in substantially the same form. These recommendations include five more specialist program staff positions to support the NHA, to be added over the course of a few years.<sup>18</sup> Since the process to add State civil service positions is so lengthy, unless utilizing the Limited Term position authority, the authorization request for the first wave of positions should be ready to go the moment the final Management Plan is approved by the NPS. This recommendation should not be construed to imply that the staffing of the NHA has been adequate to this point; multiple interviewees among stakeholders and staff reported the organizational strain caused by long-term understaffing of the NHA effort to date.

## Human Resources

The DPC's strength in the human resources arena is having an Executive Director and Staff Services Manager I/Assistant Executive Director on board, and successfully filling the two

<sup>18</sup> Sacramento-San Joaquin Delta National Heritage Area Management Plan - Public Review Draft, Feb. 5, 2024, p. 253.

recently advertised vacancies. It brings the organization very close to its currently authorized full staffing level. A weakness in this area is getting onto a regular schedule of employee training and evaluations, with the opportunity to course-correct in a relatively quick timeframe. The threat remains of further delays in getting new staff to meet the current workload, plus future needs.

At the time of writing this report, the DPC administrative human resources function was in the middle of transferring to the Parks and Recreation Department, a much larger sub-agency under the CNRA, from the Department of General Services (DGS), as a result of DPC staff's advocacy. Therefore, this report does not make a finding about that aspect of human resources, anticipating improvement based on the staff accounts of the past couple of years' experience with DGS.

#### **HR.1:**

**Finding:** The DPC as an agency does not consistently perform employee evaluations.

**Recommendation:** All supervisors should conduct employee evaluations (performance appraisals) on an annual basis in addition to regular, timely feedback on work and performance, and as has been past practice, a subcommittee of the Commission should do the same for the Executive Director. An agency-wide schedule should be developed and followed in accordance with State guidelines.<sup>19</sup> An evaluation provides an employee with needed feedback to improve their work or recognize their achievements, as well as protects the State from personnel problems. It also offers both supervisor and employee a check-in about if the employee's work remains within their Duty Statement, and if not, how to correct that. The formal evaluation tool does not substitute for regular feedback but it's the baseline. While a self-evaluation may be a useful component of employee reflection, the performance appraisal should be completed by the supervisor.

A good element to include in the evaluations is goals for the year ahead, both in terms of professional development as well as in terms of assigned projects, to build more capacity in the existing staff. The SSMI is working to build this regularity into the Finance and Administration group which has added two new staff in the past year.

#### **HR.2:**

**Finding:** The DPC does not have a comprehensive, current employee handbook.

**Recommendation:** While the DPC defers to larger State procedures on many topics, there should still be a comprehensive, DPC-specific reference guide, employee handbook, or orientation manual to complement job-specific training and onboarding. It could include many of the materials already collated as part of the Commissioner Binder, as well as approved office procedures, how-to guides, communication standards, etc.. Based on the feedback from the interviews, it is likely that even current employees would benefit from this material assembled in one document; it would be essential for new employees.

<sup>19</sup> State form [STD 638](#), Performance Appraisal Summary.

**HR.3:**

**Finding:** Not all employees' Duty Statements are well-aligned with their current work or the current organizational chart and established practice, and will need additional revision pending any further changes following this report.

**Recommendation:** Each employee should review his/her Duty Statement with his/her supervisor prior to a comprehensive review with the Executive Director. Through a collaborative process with the incumbent employees, determine what areas are most out of alignment and address through existing State personnel processes to amend the Duty Statements, reclassify employees, or redirect operations, if and as needed. One example of many notes in this regard is that the Senior Environmental Planner Duty Statement states that the position reports to the Executive Director, while the Executive Director Duty Statement states the position supervises only the Assistant Executive Director. If possible when amending Duty Statements, add senior staff positions to the list of supervisors so that in times of transition or understaffing, the Duty Statements aren't instantly out of alignment.

### Structure and Decision-Making

Organizational structure and the decision-making process is an area where efficiency seems to have been compromised over time and where the agency should be proactively rebuilding. Weaknesses such as the long-term vacancy for the management-level PMII, the overall persistent staffing turnover, imperfect communication and decision-making processes, and the many stressful projects underway, manifest here in ways that have heightened tensions in the workplace. The strength is having an Executive Director and experienced employees in place to improve this, threatened as always by the risk of further staff turnover and delays in hiring. Given the number of new staff including leadership, there is an opportunity to improve workplace dynamics, increase transparency, and result in more trust among the team.

**SD.1:**

**Finding:** The DPC's proposed organizational structure, as shown in Figure 2, is adequate for current and projected staffing into the next two to three years, with span of control not exceeding six positions for any one supervisor.

**Recommendation:** Even after adding new staff positions, the DPC's basic organizational structure will suffice. It will need re-evaluation in two to three years when the NHA implementation is more established to determine if that work would be better accommodated in a different structural model within the agency. Additionally, the PMI roles and Duty Statements should be considered for additional leadership responsibilities (Recommendation HR.3).

**SD.2:**

**Finding:** The DPC does not have established patterns of transparent or collaborative decision-making about operations or programs.

**Recommendation:** When possible, explicitly tie decisions back to the annual work plan's priorities (Recommendation P.2) and documented procedures (Recommendation WP.1), after providing an opportunity for employee input within delineated roles and responsibilities. When that's not possible, due to urgent or unforeseen circumstances, adopt a high level of transparency about the "why", then as a group, commit to moving on. At times that may mean amending the

work plan or the procedures guide to reflect the new information, which is fine as they are living documents. Depending on the issue and scope of who/what it affects, these decisions might be discussed at the Commission level, at the biweekly staff meetings, or among a small group of senior staff. There is an apparent lack of understanding of decision-making authority, responsibility, and timeframes, coupled with the previously noted communication difficulties and relatively low trust among colleagues.

Indicating that this is a longstanding issue, one of the stakeholders commented that being asked to approve the NHA five years ago “was sprung on them”, in their view. That decision has been the basis of a significant chunk of agency workload, so it’s essential to improve communication flow and documentation to avoid those perceived surprises at all levels. An annual agency work plan and more substantial discussions with the Commission would be two ways to preclude that in the future.

To illustrate another facet of this challenge, file storage and shared documents is a flashpoint that came up in the employee interviews. Most staff interviewed feel very strongly about this basic office issue, and it does not sound like there has been constructive group dialogue about it that would allow input, answer questions, and ultimately a decision to be made. Rather, it keeps coming up and taking time away from other pressing matters. Regarding this specific topic, best practice in workflow management would be to have a shared drive with documents beyond the roughest of draft stages, with the question to ask being, “could someone else pick this up and keep going with it?” Although there are different perspectives among staff about if this is the case across sections at the DPC, this speaks to the need to consistently implement work standards and highlights the big picture: the DPC does not seem to have a smooth established collaborative process.

Of course, not every decision must be collaborative, and not every decision affects everyone in the organization. With a small staff that cares a lot, it seems like this can get blurry at the DPC. An annual agency work plan (Recommendation P.2) should relieve some of the tension around decisions and priorities. Finally, sometimes an executive needs to make a decision and move forward; in those moments, most employees would appreciate knowing that a decision has been made and why. There may be a desire to avoid conflict and hope that a decision would collaboratively arise, but if a matter has come up at more than two staff meetings without resolution, and once everyone who is affected by the decision has had an opportunity to provide input, it’s important to prioritize efficiency by stating a decision.

The interviews revealed second-guessing of decisions that have been made at all levels, which speaks to the fact that, while there’s not a lot of camaraderie, employees still care about the agency and the mission, leading to optimism about the ability to reset.

### Work Processes and Systems

The DPC lacks comprehensive internal documentation of processes, but the strength is that the SSMI/Assistant Executive Director, as the first person in the SSMI position for the DPC, has started working on building a library of documentation. However, the weakness is that there is a

lot that has to be established or refined, and the threat of competing priorities is very real. There is an opportunity to collaborate by writing up some established staff practices, using better communication and decision-making strategies to be transparent. Of special concern is that there is not universally understood to be comprehensive documentation of some of the work, such as the land use review function, one of the DPC's core programs.

**WP.1:**

**Finding:** The DPC lacks comprehensive internal documentation of processes.

**Recommendation:** Build a library of documentation of the DPC's key program and operational processes, using collaborative tools along the way to build consensus if it turns out people have different ideas about how things should be done. First priority among the missing pieces should be a comprehensive guide in how to conduct land use review, and this is time-sensitive given that there is a new employee in the role, to complement the current onboarding and training being delivered now by the existing professional planning team. A best practice would be to assemble all the various parts of the function into one comprehensive guide, such as official Commission direction, components such as how and where to flag the projects subject to review, who to contact to complete the review, and what criteria to use to determine if a project merits a comments letter would be included. Staff reports elements of this exist in the shared files but not necessarily fully fleshed out and explicit, so it may not need to be a major work effort. Developing this now would demand some time from the two Program Managers, who have both pinch-hit in the function over their tenures, but would also need to involve the Executive Director given the reputation of the DPC's strength in this area.

The next tier of not yet well-documented work to focus on is an employee handbook (Recommendation HR.2), office procedures/standard onboarding document, and Commission procedures - not how to hold a Commission meeting, which administrative staff has recently documented in a very comprehensive guide, but rules of order, how to bring up items, subcommittee formation, etc. It is very possible the Delta sibling agencies, being larger, have already developed this type of documentation already, and it is highly recommended to request their versions as a starting point. The other small CNRA agencies are another potential source of administrative inspiration.

**WP.2:**

**Finding:** Committee and commission meeting agendas, packets, and minutes aren't completed to a consistently high standard.

**Recommendation:** As is the stated intent, ensure that the new Administrative Analyst receives training to bring all public meeting documents to the same professional standard, and working with the Information Officer, standardize their online presence. The DPC staffs a lot of public bodies. Undoubtedly due to staffing gaps, there are inconsistencies with the quality of the content and format of staff reports/cover memos, taking and posting of minutes (particularly for committee meetings), and where documents are posted online, which varies between the Calendar page and the committee pages.

While the Bagley-Keene requirement of posting the agenda online 10 days in advance is regularly met, the agenda language should be better drafted to provide the public with more

information about if an item is of interest, since full agenda packets are not regularly available to the public until a couple days before the meeting. Best practice for sharing agenda materials is at least three business days in advance of the meeting. There's also a need for consistently providing more information in staff reports' analysis, such as cost implications, link to Vision 2030, and consideration of other alternatives and how staff arrived at its recommendation.

Given the increasing public scrutiny of government in California generally and rising tensions about the future of the Delta specifically, it's imperative that the DPC's public meeting agendas, packets, and minutes are easy to source, for all its bodies that are public bodies falling under Bagley-Keene. This determination may require consultation with legal counsel. As a corollary to this issue, the DPC staff supports many committees that are mandated to exist but don't have a required frequency, and more task forces and other groups that, while not necessarily public bodies in the sense of open government law, are of public interest and merit "courtesy" postings or online updates. The desire to keep these going is understandable, but it's extra work outside core programs, taxing staff capacity (Recommendation P.3).

Recognizing the challenges with sourcing new technology, at this time there isn't a recommendation for agenda management software but that's something to explore in collaboration with the other small CNRA agencies for cost-sharing. Agenda management software streamlines agenda production and distribution, as well as review of staff reports.

### **WP.3:**

**Finding:** Staff expectations around responsiveness aren't aligned.

**Recommendation:** Multiple employees shared frustration around responsiveness in communication, leading to the conclusion that there isn't a clear current standard. The Executive Director should share his expectations for internal responsiveness and develop written guidelines for this office-wide (to be included in the office procedures documentation). Certainly different employees are allowed to have different work styles, but the interviews showed too much tension around this issue, which speaks to the existing imperfect communication, low trust, etc. A reasonable starting point is, in most normal circumstances (such as working that day, not in transit, etc.), employees are expected to respond to internal emails the same day and external emails next business day. It could be helpful to have an agency-wide policy that everyone shares calendars to free/busy levels to assist others in adjusting expectations.

## Chapter 5. Conclusion

Following the completion of the assessment process, it is clear that the DPC as an agency is a committed band of individuals, who although they feel like individuals rather than a team most of the time, care greatly about the area they serve and believe in the high stakes of their work. The engaged members of the Commission support the staff and the mission.

Without spending too much time rehashing the past, the recent challenges and disconnects can be seen to have flourished with the rise of remote work without a robust management toolkit, significant turnover, and persistent understaffing in an organization that was small and not very resilient to start with. Combined with the increasingly large and pressing work around the NHA and the Delta Conveyance, it's an understatement to say it's been a stressful few years for the agency. An element of this assessment is acknowledging that this moment in time is hoped to be the end of a low ebb of the organizational health of the DPC.

In any organizational assessment, issues are uncovered that are beyond the control of the immediate organization, issues which are completely within the control of the organization, and issues which can be slowed or accelerated by outside forces, but which in a best case scenario unfold as recommended. The full Findings and Recommendations chapter is a wraparound look at improvements for the long term health of the agency; this section highlights those recommendations which are more within the control of the DPC leadership and can be implemented relatively quickly.

- Recruit and hire new positions (P.1),
- Create an annual work plan with pared-down, realistic activities and goals for the year (P.2),
- Focus the Commission on a menu of possible solutions to its quorum problem (L.1),
- Conduct annual performance evaluations, including a review of Duty Statements (HR.1, HR.3),
- Implement higher standards for public meeting materials (WP.2) and a Commissioner education program (L.2),
- Continue to build documentation for DPC procedures and processes, focusing on the land use review function and an employee handbook as top priorities (WP.1, HR.2),
- Commit to the goals of a collaborative culture and improved communication to address the teamwork deficit (L.4, SD.2),
  - Decision making should be clear,
  - Consider refinements to the remote work policy, and more investment in hybrid remote collaborative strategies,
  - Training on internal customer service, building a high-trust workplace, collaboration in a hybrid remote environment, and management skills,
  - Establish expectations from leadership for office functions like responsiveness.

The critical recommendations which rely on relationships within the larger State infrastructure are:

- Prepare to properly staff the National Heritage Area Management Plan implementation work in the future (P.4),
- Recruit a champion at the State level for the DPC's mission (L.3),
- Build relationships with peers at other State agencies and seek out more professional development through the State's resources and programs (L.5).

The DPC's small but committed staff deserves every opportunity to serve the agency mission in a professional, productive manner, and these recommendations are intended to complement that goal.

## Appendix A: List of Documents Reviewed

### Outside Agencies

<u>Title of Document</u>	<u>Author/Publishing Agency</u>	<u>Review Date</u>	<u>Link/Source</u>
Leadership Accountability Report (2019)	Delta Conservancy	11-8-23	<a href="#">Link</a>
Meet the Delta's State Agencies		11-8-23	<a href="#">Link</a>
Delta Conservancy Strategic Plan 2022-27	Delta Conservancy	11-28-23	<a href="#">Link</a>
Delta Residents Survey (Oct. 2023)	UC Davis	11-15-23	<a href="#">Link</a>
Broadband Coverage in the Delta (Oct. 2020)	Valley Vision	11-14-23	<a href="#">Link</a>
Delta Conservancy Organizational Assessment (Feb. 2022)	Mission Consulting for Delta Conservancy	11-17-23	<a href="#">Link</a>
Delta Plan (Executive Summary)	Delta Stewardship Council	11-28-23	<a href="#">Link</a>
Bagley-Keene Open Meeting Act Guide (2023)	Department of Justice	1-24-24	<a href="#">Link</a>
Guide to 2023 Open Meeting Law Changes	First Amendment Coalition	1-24-24	<a href="#">Link</a>
2023-24 State Budget summary	Department of Finance	1-22-24	<a href="#">Link</a>

### DPC Public-Oriented Documents

<u>Title of Document</u>	<u>Author/Publishing Agency</u>	<u>Review Date</u>	<u>Link/Source</u>
Vision 2030 strategic plan		11-27-23	<a href="#">Link</a>
Land Use and Resource Management Plan (2010)		11-14-23	<a href="#">Link</a>
Economic Sustainability Plan (2021 update of Rec & Tourism chapter)		11-28-23	commission binder
Delta National Heritage Area documentation		11-14-23	<a href="#">Link</a>
LURMP update subcommittee materials (2019)		12-8-23	dropbox
Annual Report "Action 2021" (Jan. 20, 2022)		11-14-23	<a href="#">Link</a>
Great California Delta Trail Master Plan (Jan 2022)		11-15-23	<a href="#">Link</a>
Charter of the NHA Management Plan Advisory Committee		11-14-23	<a href="#">Link</a>

<u>Title of Document</u>	<u>Author/Publishing Agency</u>	<u>Review Date</u>	<u>Link/Source</u>
Delta Tourism Awareness 5 Year Marketing Plan (2017)	Design Media for Delta Conservancy & DPC	11-14-23	<a href="#">Link</a>
Recreation and Tourism in the Delta (May 2019)	CSU Sacramento	11-14-23	<a href="#">Link</a>
Letter Requesting Cooperating Agency Status for Delta Conveyance Project Oct 2020		11-15-23	<a href="#">Link</a>
Connecting the Delta: Broadband Action Plan	Valley Vision for DPC	11-27-23	commission binder
Economic Sustainability Plan (2011)		11-28-23	commission binder
Clarksburg, Courtland, Walnut Grove, and Hood CAPs		11-27-23	commission binder
Delta Flood Risk Management Assessment District Feasibility etc (2018)	M Cubed et al for DPC	11-28-23	<a href="#">Link</a>
Commission agendas from 2022 and 2023		11-30-23	<a href="#">Link</a>
DPAC agendas from 2022 and 2023		11-30-23	<a href="#">Link</a>
NHA-AC agendas from 2022 and 2023		12-5-23	<a href="#">Link</a>
Delta Community Design Standards Recommendations Report		12-5-23	<a href="#">Link</a>
Annual Report "Action 2022" draft (Jan. 20, 2023)		11-30-23	<a href="#">Link</a>
Annual Report "Action 2022" final		12-12-23	provided by staff
Annual Report "Action 2022" final		12-12-23	provided by staff
NHA Management Plan (admin draft), Ch. 6	PointHDC + DPC staff	12-19-23	<a href="#">Link</a>

#### DPC Internal Documents

<u>Title of Document</u>	<u>Author/Publishing Agency</u>	<u>Review Date</u>	<u>Link/Source</u>
Commissioner binder contents		11-27-23	dropbox
Budget		11-28-23	commission binder
Org chart		11-28-23	commission binder
2023 Operational Review		11-17-23	dropbox
DPC Branding and Writing Style Guide (Fall 2023 draft)		11-17-23	dropbox
Job Duty Statements		12-8-23	dropbox

<u>Title of Document</u>	<u>Author/Publishing Agency</u>	<u>Review Date</u>	<u>Link/Source</u>
Internal staff/office procedures			N/A
Commission procedures			N/A
Commission meeting logistics guide		Dec 2023	provided by staff

Note: "Dropbox" refers to a secure shared online document storage site provided by DPC staff and shared with consultant.