



PUBLIC NOTICE AND MEETING AGENDA

Delta Protection Commission

Thursday, January 8, 2026, 5-7 p.m. (end time is approximate)
The Delta King, 1000 Front Street, Old Sacramento, CA 95814

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 Meeting Minutes for November 3, 2025 ([p. 4](#)); November 13, 2025 ([p. 11](#)); and November 17, 2025 ([p. 16](#)).

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. Executive Director's Report – Amanda Bohl, Executive Director ([p. 19](#))
8. Potential Approval of Proposed Rio Vista General Plan, Based on Review of the Land Use Resource Management Plan Policies – Blake Roberts, DPC Program Manager ([p. 28](#))
9. Update on Delta Conveyance Project Appeals and Potential Approval of Additional Comment Letter pursuant to PRC 29773 – Amanda Bohl, Executive Director ([p. 39](#))

Closed Session

10. The Commission may meet in closed session to discuss the appeals pending before the Delta Stewardship Council (C20257-A01 – A10) regarding DWR’s Certification of Consistency for the Delta Conveyance Project pursuant to Government Code, Section 11126(e)(2)(A)

Return to Regular Agenda

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. For each agenda item, the Commission will invite public comment; comments will be limited to not more than three minutes per person, or more time at the discretion of the Chair. Meeting materials will be made available on the Commission’s website prior to the meeting. Hard copies will also be available at the in-person meeting location.

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 or (916) 375-4800. Attachments and additional information can be found on the Delta Protection Commission website: delta.ca.gov.

Comments submitted to submit@delta.ca.gov by noon on January 7, 2026, 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 | **Sonny Dhaliwal**, San Joaquin County Board of Supervisors | **Anissa Williams**, Cities of Contra Costa and Solano counties | **David Kent**, Cities of Sacramento and Yolo Counties | **Cameron Bregman**, 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 | **Matthew Dumlao**, CA State Lands Commission

EX OFFICIO MEMBERS: **Rhodesia Ransom**, California State Assembly | **Jerry McNerney**, California State Senate

DRAFT Meeting Minutes

Delta Protection Commission

Thursday, November 3, 2025, 5-7 p.m.
Sacramento-San Joaquin Delta Conservancy Conference Room
1450 Halyard Drive, Suite 6, West Sacramento CA Agenda

Agenda

1. Call to Order and Flag Salute

Chair Diane Burgis called the meeting to order at 5:00 p.m.

2. Welcome Executive Director Amanda Bohl and Roll Call

Burgis welcomed new Executive Director Amanda Bohl, who started on October 20 and noted that she had been reaching out to Commission members. Bohl said she was happy to be with the Commission.

Commission Clerk Heather McClure called the roll. Present at roll call: Chair Diane Burgis (via Teams); Commissioners Oscar Villegas, Pat Hume, Anissa Williams, David Kent, Cameron Bregman, Jim Paroli (via Teams), Tom Slater, Amanda Martin (for Wade Crowfoot), and Brian Bugsch (for State Lands Commission); and Ex Officio Member Designee Gary Prost for Senator Jerry McNerney (via Teams). Commissioner Christine Birdsong (for Karen Ross) joined the meeting in West Sacramento at 5:11 p.m. during Item 7; Ex Officio Member Assemblymember Rhodesia Ransom joined via Teams at 6:01 p.m.

Also present were Counsel Nicole Rinke from the Attorney General's Office and staff members Rachel Vanderwerff, Blake Roberts, and Holly Heyser (in West Sacramento) and Virginia Gardiner (via Teams).

Not present were Vice Chair John Vasquez; Commissioners Sonny Dhaliwal and Toks Omishakin; and Commissioner Alternate Dean Ruiz.

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

Chair Burgis asked for public comment and there was none.

Consent Agenda

4. Approval of Draft Commission Meeting Minutes for September 18, 2025.

Motion: It was moved by Commissioner Villegas and seconded by Commissioner Hume to approve the September 18 meeting minutes; in a roll call vote, the motion passed 10-0-0, all Commissioners present voting aye.

Regular Agenda

5. Report on Delta Stewardship Council Activities – Chair Diane Burgis

Burgis reported that the October 23 Council meeting was fairly quick. The Delta Conveyance Project process has been moving forward. There was discussion of the Flood Preparedness Week Open House in Isleton and floodplain management, and a presentation from the Independent Science Board on findings of its activities.

Chair Burgis asked for public comment and there was none.

6. Report on Delta Protection Advisory Committee (DPAC) Activities – DPAC Chair Anna Swenson

DPAC Vice Chair Russ Ryan reported that DPAC did not meet in October. At its August 5 meeting, new members were welcomed and brought up to speed; DPC Program Manager Virginia Gardiner gave an excellent presentation on the Delta Conveyance Project Section 106 process for the Delta Conveyance Project; Delta Watermaster Jay Ziegler updated the group on agency activities; and Ryan gave a presentation on the South Delta sediment removal process – strategies and permits.

Chair Burgis asked for public comment and there was none.

7. Executive Director's Report – Amanda Bohl, Executive Director

Bohl shared that the primary topic of the National Heritage Area Advisory Committee meeting on October 29 was a presentation by the Honey Agency about its early efforts on the tourism branding and marketing plan for the National Heritage Area.

She also noted that applications for the Delta Leadership Program, a joint effort of the DPC and the Delta Leadership Foundation, close November 21. Chair Burgis asked staff to send a link to DLP information to Commission members.

Chair Burgis asked for public comment and there was none.

8. Approval of 2026 Meeting Schedule – Amanda Bohl, Executive Director

Bohl explained that the Commission typically meets on the third Thursday of odd-numbered months, but that staff was recommending two variations: meeting one week earlier in November 2026 to avoid conflicts with the annual California State Association of Counties conference, and one week earlier in January to avoid conflicts with the anticipated three-day Delta Stewardship Council appeals hearing for the Delta Conveyance Project Certification of Consistency.

Chair Burgis noted that the January meeting might require remote attendance options to accommodate members' schedules.

Motion: It was moved by Commissioner Martin and seconded by Commissioner Villegas to approve the 2026 meeting schedule with the recommended variations. In a roll call vote, the motion passed 11-0-0, all Commissioners present voting aye.

9. Consideration and Potential Approval of Proposed Consent Agreement with Department of Justice and Delegation of Authority to the Executive Director to Execute the Agreement – Amanda Bohl, Executive Director and Nicole Rinke, Counsel

Bohl explained that the Attorney General's Office (AGO) provides counsel for multiple state agencies that work on Delta matters, with potential for agency positions on the matters to conflict. The State Bar rules of conduct allow the AGO to represent these agencies provide they give informed consent, which was last done in 2012.

The proposed updated informed consent is essentially the same as the 2012 agreement, but has been revised to reflect changes in the rules of professional conduct.

Counsel Rinke noted one operative section was paragraph three on page 63, which goes into effect when there is a claim against one client agency against another in the same proceeding.

Commissioner Birdsong asked whether this meant DPC's counsel might have to recuse itself, and asked whether there is funding for outside counsel. Bohl said it might, and Rinke said it's possible the Commission (and other state agencies) would need to hire outside counsel.

Chair Burgis asked about the confidentiality of communications with client agencies, and Rinke noted that there are walls in place to prevent communications with counsel that represent other agencies.

Commissioner Hume said he wanted more specificity, saying he wanted to make sure part of the firewall is that Rinke would not be representing multiple agencies. He noted that the AGO is a political one, and said he assumed professional conduct as an attorney supersedes any direction coming from the top.

Rinke said the decision about how this addressed is not a political one under the rules of professional conduct.

Chair Burgis asked for public comment and there were none.

Motion: It was moved by Commissioner Villegas and seconded by Commissioner Slater to authorize the Executive Director to sign the consent agreement on behalf of the Commission. In a roll call vote, the motion passed 11-0-0, all Commissioners present voting aye.

10. Discussion Regarding the Department of Water Resource's Submittal of a Certification of Consistency for the Delta Conveyance Project to the Delta Stewardship Council on October 17, 2025, and the Commission's Procedural Options for a Potential Response – Virginia Gardiner, Program Manager

Chair Burgis recused herself and left the meeting. Vice Chair Vasquez was unable to attend, so Commissioner Oscar Villegas led the remainder of the meeting.

Bohl noted that the staff was not requesting specific action, just feedback and information about how Commissioners' constituents were reacting to the filed Certification of Consistency for the Delta Conveyance Project.

Program Manager Gardiner briefed the Commission on its authorities with regard to the certification and its options: a) provide comment to the Delta Stewardship Council regarding the DCP's consistency with the Delta Plan, and provide comments assisting the Council in evaluating appeals regarding the certification of consistency, b) appeal the certification by the November 17 deadline, c) do both A and B, or d) do nothing.

Bohl noted that staffing and budget limitations for counsel would make options B and C challenging, and option D would be inconsistent with past actions regarding the Delta Conveyance Project and its predecessors.

Commissioner Kent said one belief driving the project is that it is a foregone conclusion, leading proponents to question not whether it should be built, but whether it has been properly engineered "We've had atrocities committed in history through facilities that were expertly engineered," he said.

He said he thinks this has to be appealed to a higher authority – the federal government.

Commissioner Hume said he did not disagree with Kent's conclusions, and that he comes back to the three legs of the stool created with the Delta Reform Act: The Delta Conservancy, which funds great projects restoring the damage to the ecosystem and enhancing the cultural and economic significance of the Delta; the Delta Stewardship Council, which is quasi-judicial and looking at the implementation of the Delta Plan; and this body, which is the last bastion of support for the Delta as a place. "This is really the voice for the flora, the fauna, the farmers, the flyway, the fisheries, and the economy that the Delta represents," he said.

He cited the Commission's strategic plan (Vision 2030), which calls for supporting Delta water solutions that reduce reliance on Delta water, provide through-Delta conveyance, and protect and enhance the Delta's natural resources, recreation, agriculture, adjacent urban areas and economies, "period, full stop. That is why we exist."

"...If you take the price tag for this one project and line it up with a laundry list of other things that we could do with that same money, to me it's a fool's errand to continue pursuing this project," he said. "We need to make that case as loudly and as strongly as we can. ... If not us, who?"

Commissioner Williams said other Commission members had brought up concerns she'd heard from her constituents. Her only concern was about staff's capacity.

Commissioner Slater said he thinks the project is not a done deal, and that he believed staff could be successful. "There's no 'give up' in anybody in the Delta," he said. He said the state gave the Commission the right to appeal; "I say, use it."

He said he didn't think anyone could argue that the project wouldn't destroy the east side of the Delta.

Ex Officio Designee Gary Prost raised concerns that seismic risk to Delta levees was one of the stated reasons for the project, but the money being spent on the project is "not protecting the Delta; it's just protecting the export water. ... We can't just destroy one section of the state or leave it vulnerable in order to protect the water for another part of the state. Benefits have to be shared. Sacrifices have to be shared."

Commissioner Cameron Bregman noted as the newest Commissioner, he's supposed to be the quietest, "so I will do just that. But I'd like to say you guys will have my support."

Prost added that it would cost \$3.2 billion to bring Delta levees up to standards, which sounds like a lot less than \$20 billion.

Commissioner Amanda Martin said the Natural Resources Agency supports the Delta Conveyance Project because it is important for a sustainable water supply in the face of climate change.

Commissioner Slater said the effort to meet those goals can be done right for the entire state. He said the “you’re taking our water” animosity that was present during debates about the Peripheral Canal isn’t there today; everyone is sitting at the same table now.

Ex Officio Member Assemblymember Rhodesia Ransom, who had joined the meeting via Teams, said she appreciated where the process was going and seconded the idea that the Commission weigh in on the project.

Commission members discussed with Director Bohl and Counsel Rinke various options for the Commission’s role – appealing, commenting on other appellants’ appeals, and/or commenting on the certification, all of the above, and none of the above – and the weight various types of participation could carry; and the possibility that the Commission might not have representation available from the Department of Justice. Commission members noted that the “all of the above” option ensured that all doors remained open to the Commission.

Commissioner Villegas asked for public comment, and there were two:

Anna Swenson, chair of the Delta Protection Advisory Committee, told the Commission: “Everything you said is exactly how we feel. Your choice to participate is going to be very stimulating for people in the Delta because we feel tired. We’ve got to keep going because we’ve won up until this point. Thank you on behalf of the people of the Delta for fighting for us.”

Lori Kent, co-chair of the Isleton Historic Preservation Review Board, told the Commission that the tunnel project is in direct opposition to the Commission’s charter. “Every person I’ve spoken to in the seven years I’ve lived here, every person I’ve run into at fairs and festivals, people always bring up the tunnels. We not only oppose the tunnel solution; we fear it. We’re afraid of it because we know there’s going to be irreversible harm done to this Delta region. The only question is how much harm will we tolerate? How much harm will be allowed to be done by a few people who are railroading the public?”

11. Commissioner Comments/Announcements

Commissioner Villegas asked for other Commissioner comments and announcements, and there were none.

12. Adjourn

Commissioner Villegas adjourned the meeting at 6:32 p.m.

DRAFT Meeting Minutes

Delta Protection Commission

Thursday, November 13, 2025, 5-7 p.m. (end time is approximate)
The Willow Ballroom, 10724 California 160, Hood, CA

Agenda

1. Call to Order and Flag Salute

Chair Diane Burgis called the meeting to order at 5:08 p.m.

2. Welcome and Roll Call

Commission Clerk Heather McClure called the roll. Present at roll call: Chair Burgis; Commissioners Oscar Villegas, Pat Hume, Anissa Williams, David Kent, Cameron Bregman, Tom Slater, Josh Eddy for California Department of Food and Agriculture, Gloria Sandoval for the California Natural Resources Agency, and Brian Bugsch for the State Lands Commission; and Ex Officio designee Gary Prost for Senator Jerry McNerney. At this time, a quorum was present. Commissioner Alternate Mitch Mashburn for Vice Chair John Vasquez arrived at 5:35 p.m.

Not present were Commissioners Sonny Dhaliwal, Jim Paroli, and Toks Omishakin; Commissioner Alternate Dean Ruiz; and Ex Officio member Assemblymember Rhodesia Ransom.

Also in attendance were Executive Director Amanda Bohl; Counsel Nicole Rinke; Commission Clerk McClure; and staff members Blake Roberts, Virginia Gardiner, Rachel Vanderwerff, and Holly Heyser.

Chair Burgis announced that items would be taken out of order to allow her and Commissioner Sandoval to leave the meeting prior to items from which they would be recusing themselves: Items 3, 4, 6, and 9 would be heard first, then items 5 and 10. Items 7 and 8 would not be heard because they were addressed at the November 3, 2025, meeting.

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

Chair Burgis asked for comments. There was one: Mario Moreno, chair of the Hood Community Council, welcomed the Commission and noted that people appreciate what the Commission does for the Delta and for the National Heritage Area.

4. Presentation of award by Sacramento Valley Section, American Planning Association for the National Heritage Area Management Plan – Blake Roberts, Program Manager

Steve Peterson, who serves on the board of the Sacramento Valley Section of the American Planning Association, shared that his organization had presented its Planning Excellence Award to the Commission for its Management Plan for the Sacramento-San Joaquin Delta National Heritage Area. He said the award recognizes projects that demonstrate how planning can help create stronger and more equitable communities, and real change. He said the Management Plan serves as a model for regional heritage planning and connects communities through shared history, stewardship and partnership.

Chair Burgis asked for Commissioner and public comments, and there were none.

Closed Session Agenda

5. The Commission will meet in closed session to discuss potential litigation pursuant to Government Code, Section 11126(e)(2)(B), (e)(2)(C).

Chair Burgis said there was no need at present for a closed session.

Consent Agenda

6. Approval of Draft November 3, 2025 Meeting Minutes

Chair Burgis said there were no draft minutes for the Commission to approve because staff had been extremely busy and unable to complete them in time for the meeting.

Regular Agenda

7. Approval of 2026 Meeting Schedule (if not acted on at 11/3/25 Commission meeting) – Amanda Bohl, Executive Director (action taken on 11/3/25)

This action was completed on November 3, so no further action was required.

8. Consideration and Potential Approval of Proposed Consent Agreement with Department of Justice and Delegation of Authority to the Executive Director to Execute the Agreement (if not acted on at 11/3/25 Commission meeting) – Amanda Bohl, Executive Director and Nicole Rinke, Counsel (action taken on 11/3/25)

This action was completed on November 3, so no further action was required.

9. Review of the Delta Conveyance Project's Benefit-Cost Assessment and Economic Implications – Dr. Jeff Michael, Director, Bureau of Business and Economic Research, University of Montana

Jeffrey Michael, director of the University of Montana's Bureau of Business and Economic Research, presented highlights of his analysis of the Department of Water Resources (DWR)'s benefit-cost analysis of the Delta Conveyance Project (DCP). Michael noted that prior to joining the University of Montana a year earlier, he had worked for 16 years for University of the Pacific in Stockton, including serving as the executive director of the Center for Business and Policy Research.

He noted his presentation was an abbreviated version of comments previously made to the State Water Resources Control Board on the same topic. His points included:

- DWR's benefit-cost analysis is based on an extreme urban demand growth assumption.
- DCP water is surplus to projected urban needs.
- His analysis, using conservative assumptions, led him to conclude net benefits of the project are negative \$9 billion, with only 38 cents of benefit for each \$1 of cost.
- If costs escalate 70%, the net benefits would be negative \$19 billion, with a 24-cent benefit for each dollar of cost.
- Cost escalation is likely, and if participating agencies withdraw or default, that could lead to cost-cutting design changes, project abandonment, pressure to relax environmental protections after operation, or diversion of resources from other critical public needs.

Commissioner Slater asked what is a conventionally accepted cost-benefit ratio. Michael stated typically it is at least 1.

Commissioner Williams asked how people can know whom to rely on for true population estimates. Michael stated that the Department of Finance estimates are on track, and the scenario used in the 5-year-old DCP benefit-cost analysis is already off by a million people. Commissioner Villegas noted that DOF uses data from local planning agencies.

Chair Burgis asked for public comment. There was none.

Before consideration of the next item began, Chair Burgis noted that she was recusing herself and Commissioner Villegas would chair the remainder of the meeting. She then left the meeting.

Commissioner Sandoval asked to read a statement for the record before she too would recuse herself and leave the meeting: “The purpose of the Delta Conveyance Project is to ensure water reliability for State Water Project supplies to communities in the Bay Area, Silicon Valley, San Joaquin Valley, Central Coast and Southern California to manage risk from climate change, sea-level rise and seismic events in the Delta. Water suppliers throughout the State Water Project service area have been diligently pursuing regional self-reliance, but even with those efforts, reliable state water project supplies will still serve as a core source of clean, cost-effective supplies now and into the future. Overall, the project will advance the coequal goal for the Delta of providing a more reliable water supply for California while not conflicting with the coequal goal of protecting, restoring, and enhancing the Delta ecosystem.” She said she was recusing herself because her agency, the California Natural Resources Agency, is on record supporting the Delta Conveyance Project. She then left the meeting.

10. Consideration, potential approval, and direction to staff, including any delegation as appropriate, on Commission response to the Department of Water Resource’s Submittal of a Certification of Consistency for the Delta Conveyance Project to the Delta Stewardship Council on October 17, 2025, including four potential options:

- a. Filing appeal with the Delta Stewardship Council;**
- b. Submitting comments to the Delta Stewardship Council on any appeals filed by others;**
- c. Filing appeal with Delta Stewardship Council and submitting comments to the Delta Stewardship Council on any appeals filed by others;**
- d. Taking no action.**

– Virginia Gardiner, Program Manager

Acting Chair Villegas determined, in consultation with Counsel Rinke, that because the remaining two state representatives on the Commission would abstain from any vote on this matter, that left only seven members who could vote on it, and because statute requires a majority of total Commission membership – eight members – not just a majority of those present, to approve any motion, that the Commission would be precluded from acting on the matter.

The Commission discussed its options: hearing the staff presentation, discussing next steps, or continuing the meeting to a time when more members could be present. There was a deadline the following Monday for filing an appeal, but not for all of the options that were being presented.

The Commission took a brief recess to give counsel time to assess meeting continuation options. Upon return, the Commission discussed continuing the meeting to the following Monday.

Motion: Commission Alternate Mashburn motioned and Commissioner Kent seconded adjourning the meeting to 10 a.m. Monday, November 17, 2025.

Acting Chair Villegas asked if there was any public comment. There was one: Osha Meserve, shareholder of Soluri Meserve. She said she had been working on an appeal, and recommended that the Commission hear the presentation that evening. She said the staff's report contained important information, and it might be helpful to hear it that night instead of on Monday.

Commission members opted to not hear the presentation.

Vote: On a roll call vote, the motion passed 9-0-0.

11. Commissioner Comments/Announcements

Commissioner Villegas, acting as chair, asked if there were any announcements. There were none.

12. Adjourn

At 6:41 p.m., Villegas adjourned Item 10 until a continued meeting at 10 a.m., Monday November 17, 2025, at a location to be determined.

DRAFT Meeting Minutes

Delta Protection Commission

Monday, November 17, 2025, 10 a.m. (continued From November 13, 2025)
1450 Halyard Drive, Suite 6, West Sacramento 95691, and numerous remote locations

Agenda

1. Call to Order and Flag Salute

Commissioner Oscar Villegas, acting as chair in the absence of Chair Diane Burgis and Vice Chair John Vasquez, reopened the meeting continued from November 13, 2025, at 10:09 a.m.

2. Welcome and Roll Call

Commission Clerk Heather McClure called the roll. Present at roll call: Commissioners Mitch Mashburn (for John Vasquez), Oscar Villegas, Patrick Hume, Sonny Dhaliwal, Anissa Williams, David Kent, Cameron Bregman, Tom Slater, Dean Ruiz, and Josh Eddy for the California Department of Food and Agriculture; and Ex Officio Designee Gary Prost for Senator Jerry McNerney. Villegas was in the physical meeting location and the remaining members attended remotely.

Not present were Commissioners Jim Paroli, Toks Omishakin, and Wade Crowfoot; and Ex Officio Member Rhodesia Ransom.

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

Acting Chair Villegas asked for comments. There were none.

4. (Item 5 on Nov. 13 agenda) The Commission will meet in closed session to discuss potential litigation pursuant to Government Code, Section 11126(e)(2)(B), (e)(2)(C).

Acting Chair Villegas said the Commission would not be taking up this item, but left it open in case it was needed.

5. Consideration, potential approval, and direction to staff, including any delegation as appropriate, on Commission response to the Department of Water Resource's Submittal of a Certification of Consistency for the Delta Conveyance Project to the Delta Stewardship Council on October 17, 2025, including four potential options:

- a. Filing appeal with the Delta Stewardship Council;**
- b. Submitting comments and recommendations to the Delta Stewardship Council (pursuant to PRC 29773 and 23 CCR, Section 5028);**
- c. Filing appeal with Delta Stewardship Council and submitting comments to the Delta Stewardship Council on any appeals filed by others (options A and B);**
- d. Taking no action.**

– Virginia Gardiner, Program Manager

Executive Director Amanda Bohl opened her presentation by thanking staff for doing a tremendous job, working weekends and holidays to prepare materials for this item. She reviewed the Commission's options for responding to the Department of Water Resources's Certification of Consistency for the Delta Conveyance Project. She noted that based on Commission conversation at its Nov. 3 meeting, staff had prepared an outline for options A, B, and C. She noted that if the Commission chose to appeal, staff would draw on points in Attachment 1 in submitting the appeal.

Based on feedback, she said, staff recommended delegating authority to the Executive Director to pursue Option C.

Commissioner Kent observed that a controversy of this magnitude properly becomes a priority of this Commission. He praised the staff's collection of evidence as stellar, and said he was confident the case can and should be made by this Commission. He asked Commissioner Hume what he thought the chances of success would be.

Acting Chair Villegas noted that some members could not remain in the meeting for long, which meant there was a risk of losing quorum, and urged people to keep that in mind as they delivered their remarks.

Commissioner Hume answered Kent's question: "We have a better chance if we take action than if we don't. It's still an uphill push," he said. "People need to understand there's more to this than just a thing. It is a *place*, and we are here to defend that place."

Commissioner Slater asked to ensure that the 1981 contract between the North Delta Water Agency and DWR be included in materials submitted. He said the contract, which ensures suitable water will be available year-round for agricultural and beneficial uses in the North Delta, is incredibly important and had been omitted from the Certification of Consistency.

Hume noted it might be more feasible to include the document in comments on other appeals than in a DPC appeal, which would have to be filed today.

Commissioner Williams said she hoped the Commission could push on mitigation failures, flawed prioritization, best available science, the Delta as Place argument, more use of existential threat language, and analysis on impacts on state Route 160, especially in emergencies and evacuations.

Acting Chair Villegas asked for public comments. There were none.

Motion: It was moved by Commissioner Mashburn and seconded by Commissioner Williams to 1) follow Option C – filing an appeal with Delta Stewardship Council and submitting recommendations and comments to the Delta Stewardship Council, pursuant to PRC 29773 and 23 CCR, Section 5028, and 2) ensure that the 1981 contract between the North Delta Water Agency and Department of Water Resources be included in the Commission’s response to other appeals. The motion passed 9-0-1, with Commissioner Eddy abstaining.

Commissioners Hume and Villegas thanked everyone involved for their herculean efforts on this matter.

6. Commissioner Comments/Announcements

Acting Chair Villegas asked for comments. There were none.

7. Adjourn

Acting Chair Villegas adjourned the meeting at 10:41 a.m.

Delta Protection Commission Meeting

January 8, 2026

AGENDA ITEM 7: Executive Director's Report

Prepared by: Amanda Bohl, Executive Director

Presented by: Amanda Bohl, Executive Director

Recommended Action: Receive the Executive Director's Report

Type of Action: Receive

Note: Several staff members have been diverted from some or all of their normal responsibilities to work on the Delta Conveyance Project appeal and comments.

ADMINISTRATION

Commission Budget Update

Budget and Spending for Delta Protection Commission - FY 25/26 Projected Budget

FY 25/26 Categories	Budget Amount	Total Expenses and Projections	Difference
Salaries/Wages and Benefits	\$1,553,000	\$1,197,000	\$356,000
Operating Expenses	\$529,800	\$821,940	(\$292,140)
Reimbursements	\$60,000	\$0	\$60,000
Total	\$2,142,800	\$2,018,940	\$123,860

Staffing

Program Manager Virginia Gardiner retired on Dec. 29, 2025. This leaves the DPC, which is budgeted at 8.5 positions, with 5.5 staff members.

The Commission is currently advertising for an Administrative Analyst II (formerly Associate Governmental Program Analyst) to serve as the Board Clerk and provide administrative support. The deadline to apply is early February.

Annual Report

The annual report will be presented at the March Commission meeting. The delay is due to staff's focus on the Delta Conveyance Project.

Office move

Staff has secured a location for a new office that can accommodate existing staff working more frequently in the office, and additional staff members, including those who will fill current vacancies and anticipated staffing increases for the National Heritage Area. Staff anticipate a move mid-year to a location in West Sacramento more easily accessed from U.S. 50 and closer to the Sacramento-San Joaquin Delta Conservancy.

NATIONAL HERITAGE AREA

Tourism Branding and Marketing Plan Survey

Honey, the Commission's branding and marketing contractor, worked with Commission staff to prepare and distribute surveys to internal and external stakeholders. The surveys were released on December 3 and were followed by two discovery workshops attended by Commission staff, Committee members, and stakeholders to discuss detailed survey results and next steps. Survey participants indicated a preference for a unified regional marketing approach rather than individual community efforts, comparing this method to successful models like Napa, Sonoma, and Apple Hill. Refining the Delta's identity to better reflect its unique landscape and history, while focusing outreach on local and Northern California audiences with messaging that feels authentic to the region, was also identified. The surveys were scheduled to be re-sent on January 5, 2026, to garner more responses.

NHA Advisory Committee

The National Heritage Area (NHA) Advisory Committee met on Wednesday, December 17, 2025, at the Rio Vista Community Center in Rio Vista. The agenda included a presentation by RioVision about Rio Vista community activities and a review of the new VisitCADelta.com events calendar.

The next NHA Advisory Committee meeting is scheduled for Wednesday, March 25, from 1 to 3 p.m. at a location to be determined.

Passport Program

Launch of the Passport Program continues to be delayed because passport stamps have not been received, despite being ordered on October 8, 2025.

Alliance of National Heritage Areas (ANHA)

Amanda Bohl and Blake Roberts will be attending the 2026 ANHA annual meeting at Washington, DC, the week of February 2.

RECREATION

Great California Delta Trail – Clarksburg Branch Line Trail Extension (CBLT)

Staff participated in a meeting on December 3, 2025, with project proponents. Updates included a new timeline for the beginning of CEQA review: early 2026 for the West Sacramento-owned segment of the proposed trail and February 2026 for the segment connecting West Sacramento-owned land to Clarksburg.

Additionally, an update was agendaized on the December 2, 2025, Delta Protection Advisory Committee meeting. The above update was provided with several Clarksburg residents in attendance. More information was requested. The CBLT will also be discussed at DPAC's February 10, 2026, meeting.

LAND USE

Farmland Conversion Study

This study is on hold due to staff diversion to the Delta Conveyance Project appeal process.

Commission Land Use Comments

Staff conduct weekly reviews of agendas and updates from 65 agency and local government departments to ensure land use proposals comply with the DPC's Land Use and Resource Management Plan, and send comment letters under authority delegated to the Executive Director in 2016.

Suisun City Expansion

Staff provided comments to the City of Suisun City about the Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Suisun Expansion Project. The Project would expand the boundaries of Suisun City through annexation of 22,873 acres of unincorporated Solano County land. Within the annexation area, the project would establish the Suisun Expansion Area Plan and the Suisun Expansion Specific Plan. The proposed Specific Plan would establish the General Plan designation and zoning to guide development of a new 15,737-acre community in Suisun City. The northeast corner of Project includes approximately 675 acres within the Delta Primary Zone, while other parts of the Project are near the Primary Zone.

Staff are concerned about potential Project impacts on the primary zone, particularly agriculture, cultural resources, land use, natural resources, public services, recreation, transportation, and water quality. Development on such a large scale near the Primary Zone can have lasting and potentially destructive effects on the rural and agricultural character of the region. The Commission urges the project proponent to review the Project for compliance with LURMP policies. We also recommend that the EIR discuss how the Project's integration into the Delta Trail could potentially have environmental impacts.

LEADERSHIP

Delta Leadership Program

Applications for the Delta Leadership Program, a joint effort of the Delta Protection Commission and the Delta Leadership Foundation, closed on November 24, and 15 applicants were chosen for the 2026 class:

- Bret Bartholomew, Owner, Bartholomew Solutions, Elk Grove
- Ashley Castaneda, Restore the Delta, Stockton
- Gustavo Cruz, Assoc. Water Resources Engineer, Solano County Water Agency, West Sacramento
- Nicole Cuellar-Nelson, District Representative, State Senator Christopher Cabaldon, Sacramento
- Jason Culberston, Farmer/Rancher and Trustee, Reclamation District No. 3, Walnut Grove
- Emily Groth, Planner, Contra Costa County Dept. of Conservation and Development, Martinez
- Alli Hauger, Delta Levee Engineer, MBK Engineers, Sacramento
- Jack Johnson, Assistant Deputy, Yolo County Supervisor Oscar Villegas, West Sacramento
- Bhajleen Khalsa, Executive Assistant, State Senator Jerry McNerney, Lathrop
- Lisa Kirchhoff, Co-Owner, Kirchhoff Family Wines, Courtland
- Erin Mullen Brosnan, Board Member and Volunteer, Crockett Historical Society & Museum, Crockett
- Minh Nguyen, Residential Mortgage Lender, F&M Bank, Oakley
- Jenni Shaw, Curator of Education and Visitor Engagement, Lindsay Wildlife Experience. Walnut Creek
- Sabrina Snyder, Senior Management Analyst, Yolo County Administrator's Office, Woodland
- Rachel Vanderwerff, Senior Environmental Planner, Delta Protection

COMMUNICATIONS

Newsletters published since our last Executive Director's Report have included the following content; * denotes most-clicked items in the issue:

- [Oct. 23 Delta Happenings](#) (tunnel news, including *DPC comments on certification and *explainer on process; new executive director; science board seeks comments on Delta subsidence; Rio Vista bridge closure; *mute swan added to nongame bird list; F&G Commission declines striped bass slot limit)
- [November/December Delta Heritage Courier](#) (*Mexican rodeo, Three Sisters Gardens, *Isleton in Islands Magazine, *Foster's Bighorn's taxidermy collection for sale, Artisan Market returns to Oakley, Benicia's own song, Martinez's renovated fishing pier, a grisly (and fascinating) exhibit in West Sacramento, new hotel project planned in Hood, Cantonese Opera in 1920s Delta)
- [Dec. 2 Delta Happenings](#) (*Delta Conveyance Project Certification appealed, comments on Delta Science Plan Sought, call for ecologically themed art, *'Big Notch' operations begin, Delta Invasive Species Symposium, *new events calendar)
- [Dec. 16 Delta Happenings](#) (*Angels Recovery Dive Team, *revised Bay-Delta Plan draft, *Delta Conservancy seeking concept proposals; new carpool rules on Antioch Bridge; San Joaquin County student art wanted; recording of Dec. 4 Invasive Species Symposium)

Upcoming Delta Events

Our Delta event listing has moved to VisitCAdelta.com/events.

DELTA PROTECTION COMMISSION

Diane Burgis, Chair (Contra Costa County Board of Supervisors)
2101 Stone Blvd., Suite 200, West Sacramento, CA 95691
(916) 375-4800 | delta.ca.gov



December 12, 2025

Jim Bermudez
Deputy City Manager
City of Suisun City
701 Civic Center Boulevard
Suisun City, CA 94585
SENT VIA EMAIL: SuisunExpansion@suisun.com

RE: Notice of Preparation of a Draft Environmental Impact Report for the Suisun Expansion Project

Dear Mr. Bermudez:

Thank you for providing the Delta Protection Commission (Commission) the opportunity to comment on the Notice of Preparation of Draft Environmental Impact Report for the Suisun Expansion Project (Project). The Project would expand the boundaries of Suisun City through annexation of 22,873 acres of unincorporated Solano County land. Within the annexation area, the project would establish the Suisun Expansion Area Plan and the Suisun Expansion Specific Plan. The proposed Specific Plan would establish the General Plan designation and zoning to guide development of a new 15,737-acre community in Suisun City.

The Commission is a state agency charged with ensuring orderly, balanced conservation and development of Delta land resources and improved flood protection. The Commission reviews projects within the broad framework of the Delta Protection Act (Act) of 1992 and Delta Reform Act of 2009, which declare that the State's basic goals for the Delta are to provide a more reliable water supply for California and protect, restore and enhance the Delta ecosystem "in a manner that protects and enhances the unique cultural, recreational, natural resource and agricultural values of the Delta as an evolving place" (Public Resources Code section 29702(a) and Water Code section 85054).

Proposed local government-approved projects within the primary zone of the Legal Delta must be consistent with the Commission's Land Use and Resource Management Plan (LURMP) (California Public Resources Code Sections 29700-29780). California Public

Resources Code Section 29760(b) states that the LURMP “shall. . .preserve and protect agricultural viability” and “shall. . .protect the delta from any development that results in any significant loss of habitat or agricultural land.” The Commission also provides comments on proposed projects that have the potential to affect the resources of the primary zone. The northeast corner of Project includes approximately 675 acres within the primary zone of the Legal Delta, while other parts of the Project are near the primary zone.

We have significant concerns about potential Project impacts on the Delta primary zone, particularly agriculture, cultural resources, land use, natural resources, public services, recreation, transportation, and water quality. Development on such a large scale near the primary zone can have lasting and potentially destructive effects on the rural and agricultural character of the region. The Commission urges the project proponent to review the Project for compliance with LURMP policies, including but not limited to the following (directly quoted from the LURMP):

Land Use Policy 2. Local government general plans, as defined in Government Code Section 65300 et seq., and zoning codes shall continue to promote and facilitate agriculture and agriculturally-supporting commercial and industrial uses as the primary land uses in the Primary Zone; recreation and natural resources land uses shall be supported in appropriate locations and where conflicts with agricultural land uses or other beneficial uses can be minimized.

Land Use Policy 3. New non-agriculturally oriented residential, recreational, commercial, habitat, restoration, or industrial development shall ensure that appropriate buffer areas are provided by those proposing new development to prevent conflicts between any proposed use and existing adjacent agricultural parcels...

Land Use Policy 5. Local government general plans shall address criteria under which general plan amendments in the Primary Zone will be evaluated under Public Resources Code Section 29763.5. Proposed amendments to local government general plans for areas in the Primary Zone shall be evaluated in terms of consistency of the overall goals and policies of the Land Use and Resource Management Plan.

Recreation and Access Policy 4. Encourage new regional recreational opportunities, such as Delta-wide trails, which take into consideration environmental, agricultural, infrastructure, and law enforcement needs, and private property boundaries. Also, encourage opportunities for water, hiking, and biking trails.

Utilities and Infrastructure Policy 1. Impacts associated with construction of transmission lines and utilities can be mitigated by locating new construction in

existing utility or transportation corridors, or along property lines, and by minimizing construction impacts...

Utilities and Infrastructure Policy 3. Ensure that new municipal sewage treatment facilities (including storage ponds) that support development or business outside of the Delta Primary Zone are not located within the Delta Primary Zone...

Utilities and Infrastructure Policy 5. Maintain roads within the Delta to serve the existing agricultural uses and supporting commercial uses, recreational users, and Delta residents. Promote the maintenance and enhancement of major thoroughfares already used as cross-Delta corridors.

Water Policy 1. State, federal and local agencies shall be strongly encouraged to preserve and protect the water quality of the Delta both for in-stream purposes and for human use and consumption.

Note that California Public Resources Code Section 29770 allows “any aggrieved person” the right to appeal land use decisions taken in the primary zone for inconsistency with the Act or the LURMP. The text states that “the ground for an appeal and the commission consideration of an appeal shall be that an action, as to land located exclusively within the primary zone, is inconsistent with the resource management plan, the approved portions of local government general plans that implement the resource management plan, or this division [i.e. the Act].”

The Commission is also responsible for preparing and implementing the 2022 [Great California Delta Trail Master Plan](#). California Public Resources Code §5852-5855 directed the Commission to adopt a plan and implementation program for a trail network that forms a continuous recreational corridor through five Delta counties (Sacramento, San Joaquin, Contra Costa, Solano and Yolo). The multi-modal trail network would link the San Francisco Bay Trail to planned Sacramento River trails in Sacramento and Yolo counties. The Project is located between Rio Vista, which the Delta Trail Master Plan identified as a potential Delta “Adventure Hub,” and Bay Area trail networks. We recommend that the EIR discuss how the Project’s integration into the Delta Trail could potentially foster active transportation, improve recreation access, and mitigate greenhouse gas emissions.

Thank you for the opportunity to provide input. Commission staff is available to discuss all aspects of the LURMP and the Great California Delta Trail. Please contact Program Manager Blake Roberts at (530) 650-6572 with any questions or to schedule time to discuss.

Sincerely,

A handwritten signature in cursive script that reads "Amanda Bohl".

Amanda Bohl
Executive Director

cc: John Vasquez, Solano County Supervisor and Commission Vice Chair
Jeff Henderson, Delta Stewardship Council

Delta Protection Commission Meeting

January 8, 2026

AGENDA ITEM 8: Potential Approval of Proposed Rio Vista General Plan, Based on Review of the Land Use Resource Management Plan Policies

Prepared by: Blake Roberts, Program Manager

Presented by: Blake Roberts, Program Manager

Recommended Action: Approve Proposed Rio Vista General Plan

Type of Action: Vote

Background

The Delta Protection Act (Act) requires that local government general plans that concern lands within the Primary Zone be consistent with the Commission's Land Use and Resource Management Plan. Public Resources Code (PRC) Section 29763.5 states that the Commission must act on proposed general plan amendments within 60 days from the date they are submitted. The Commission must approve the proposed amendments by a majority vote of the membership after making findings based on substantial evidence in the record.

The Commission must consider the following findings when deciding whether or not a general plan is consistent with LURMP:

- a. Will not result in wetland or riparian loss.
- b. Will not result in the degradation of water quality.
- c. Will not result in increased nonpoint source pollution.
- d. Will not result in the degradation or reduction of Pacific Flyway habitat.
- e. Will not result in reduced public access, provided the access does not infringe on private property rights.
- f. Will not expose the public to increased flood hazard.
- g. Will not adversely impact agricultural lands or increase the potential for vandalism, trespass, or the creation of public or private nuisances on public or private land.
- h. Will not result in the degradation or impairment of levee integrity.
- i. Will not adversely impact navigation.
- j. Will not result in any increased requirements or restrictions upon agricultural practices in the Primary Zone.

Current Status and Proposed Findings

The City of Rio Vista submitted its Draft Rio Vista 2045 General Plan (Plan) to Commission staff for approval on December 15, 2025. Portions of the city, generally northeast of Airport Road, are located within the Primary Zone.

Staff reviewed the Plan (available on the City of Rio Vista's web page:

https://riovista2045.com/wp-content/uploads/2025/08/Rio-Vista-GP_Final_Draft-Complete-Doc.pdf) and a memorandum (see attachment) from City staff outlining the

Plan's consistency with the findings required in PRC Section 29763.5. The Plan reflects the currently approved and existing land uses and would decrease acreage designated for urbanized uses in the Primary Zone. Current industrial uses adjacent to the Sacramento River support marine engineering uses required in the Delta that need direct access to the Sacramento River. The new "Public/Quasi Public" designation allows the continued operation of existing public facilities located in the Primary Zone, but does not allow private industrial, residential, or commercial uses. Since the Plan does not increase the allowed uses in the Primary Zone, but rather decreases them, the Plan does not negatively increase any of the concerns addressed in PRC Section 29763.5. Staff concurs with the written findings submitted by the City.

Recommended Action

- (1) Approve the proposed findings that the proposed Rio Vista General Plan is consistent with the Commission's Land Use and Resource Management Plan, as required by Public Resources Code Section 29763.5; and
- (2) Approve the proposed Rio Vista General Plan.

Relationship to Commission's Strategic Plan: Vision 2030

Agriculture (Strategic Theme)

A.2 Protect agricultural lands from inappropriate development.

2.1 Implement the Land Use and Resource Management Plan (LURMP) and update it to address current conversion challenges in the Delta, such as proposed industrial-scale alternative energy developments and large-scale habitat restoration.

Delta Heritage (Strategic Theme)

H.1 Protect the Delta's distinctive character and land uses through implementation of the Land Use and Resource Management Plan (LURMP).

Attachments

Attachment: City of Rio Vista Memorandum on Rio Vista General Plan, Delta Protection
Commission Adoption, December 15, 2025

Memorandum

December 15, 2025

RE: Rio Vista General Plan, Protection Commission Adoption

The City of Rio Vista (City) initiated a comprehensive update of its General Plan in late 2021. Over the past four years the City general plan team has prepared the Draft Rio Vista 2045 General Plan. Due to the City's proximity to the Sacramento/San Joaquin Delta (Delta), consideration has been granted to ensuring both consistency with State plans, policies and regulations related to the Delta as well as ensuring adoption of the Rio Vista 2045 General Plan will not adversely impact Delta resources.

Portions of the incorporated limits of Rio Vista and its sphere of influence generally northeast of Airport Road are located within the area delineated as the legal Delta. As such, the City general plan team has engaged in dialogues with staff members of the Delta Protection Commission. This memo documents the City's basis for determining the Rio Vista 2045 General Plan is consistent with the provisions of Public Resources Code 29763.5 and requesting the Delta Protection Commission adopt the Rio Vista 2045 General Plan.

Background and Context

The City limits and approved sphere of influence include lands in the Delta Primary zone; these lands are located northeast of Airport Road and west of the Sacramento River.

Current (2001 General Plan) and Zoning Designations

Figure 1 (Figure 4-3 of the current Rio Vista General Plan) designates these lands in the Delta Primary Zone as Study Area (SA), Industrial Employment – General (I/E (G)), Agricultural/Open Space (AG-OS), and Airport Transportation (AT).

Figure 2 Rio Vista Zoning Designations identifies the current zoning of lands in the Delta Primary Zone as General and Service Commercial and Industrial (C-3-I), General and Service Commercial (C-3), Residential High Density (R-3), and General Manufacturing Industry (M-G).

Portions of the lands in the Primary Zone have been developed for various uses consistent with the current General Plan and Zoning Designations.

Rio Vista 2045 General Plan

Figure 3 – Rio Vista Draft Land Use Plan identifies proposed land use designations for the entire City and Figure 4 – Delta Primary Zone Draft Land Use Plan provides an enlarged review of lands in the Primary Zone. The changes from the current/adopted General Plan that are proposed by the City include:

- Designation of Study Area is eliminated. This designation was ambiguous and did not provide clear guidance for land use decisions.
 - The majority of lands along the Sacramento River are designated General Industrial consistent with the existing land uses. This area include operations of The Dutra Group that involve heavy civil marine contracting operations, various light industrial uses and storage facilities.
 - Existing residential development adjacent to Airport Road and Highway 84, including a mobile home park, small apartment complexes and single family homes are designated Neighborhood Residential and Multi-Family Residential consistent with their development density.
- Lands in the City sphere of influence and a portion of lands designated Industrial Employment in the current General Plan are proposed as Open Space/Natural Resources.
- Lands along Airport Road currently designated Industrial Employment and partially developed for personal storage uses are designated Light Industrial under the proposed General Plan.
- All lands owned by the City that include the City's Northwest Wastewater Treatment Plant and the Rio Vista Municipal Airport are designated Public/Quasi Public under the proposed General Plan.

Intent of Proposed General Plan Amendments

The City has attempted to reflect the currently approved and existing land uses in the Rio Vista 2045 General Plan. There is no vacant land designated for residential uses; the only residential uses proposed under the 2045 General Plan existing homes that were approved and constructed consistent with existing zoning designations.

A portion of lands in the City that are designated Industrial Employment under the current General Plan have been proposed as Open Space/Natural Resources under the 2045 General Plan.

All City owned lands that comprise the City wastewater treatment plant and airport (designated as AG/OS, WW, AT and I/E under the current General Plan are proposed as Public/Quasi-Public (P/QP) under the 2045 General Plan. The 2045 General Plan describes P/QP uses as follows:

“The Public/Quasi Public designation encompasses existing facilities serving various community functions, including the airport; fire; wastewater treatment facilities and other core public facilities.”

Figure 1: 2001 City of Rio Vista General Plan

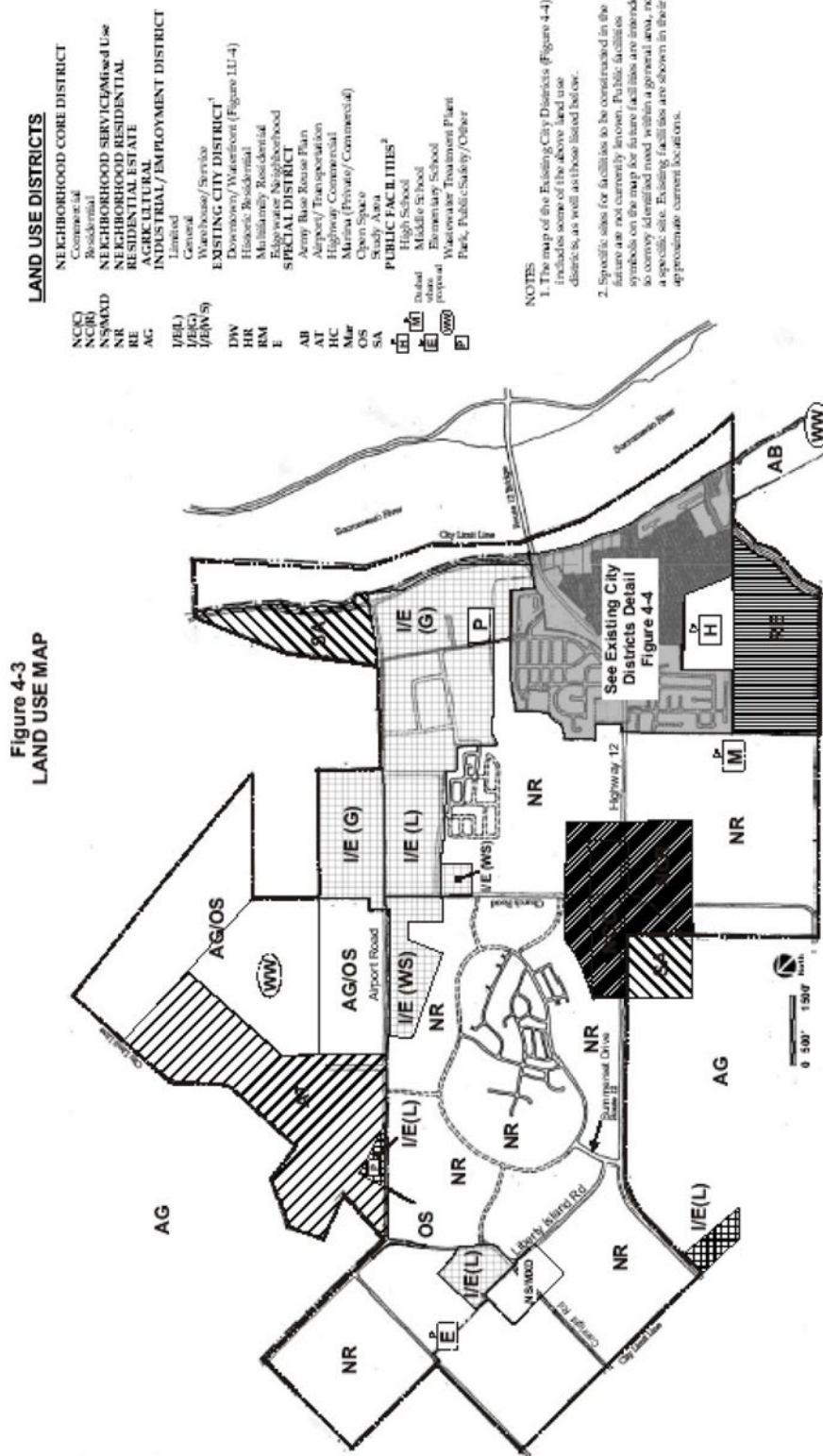


Figure 2: City of Rio Vista Current Zoning Designations

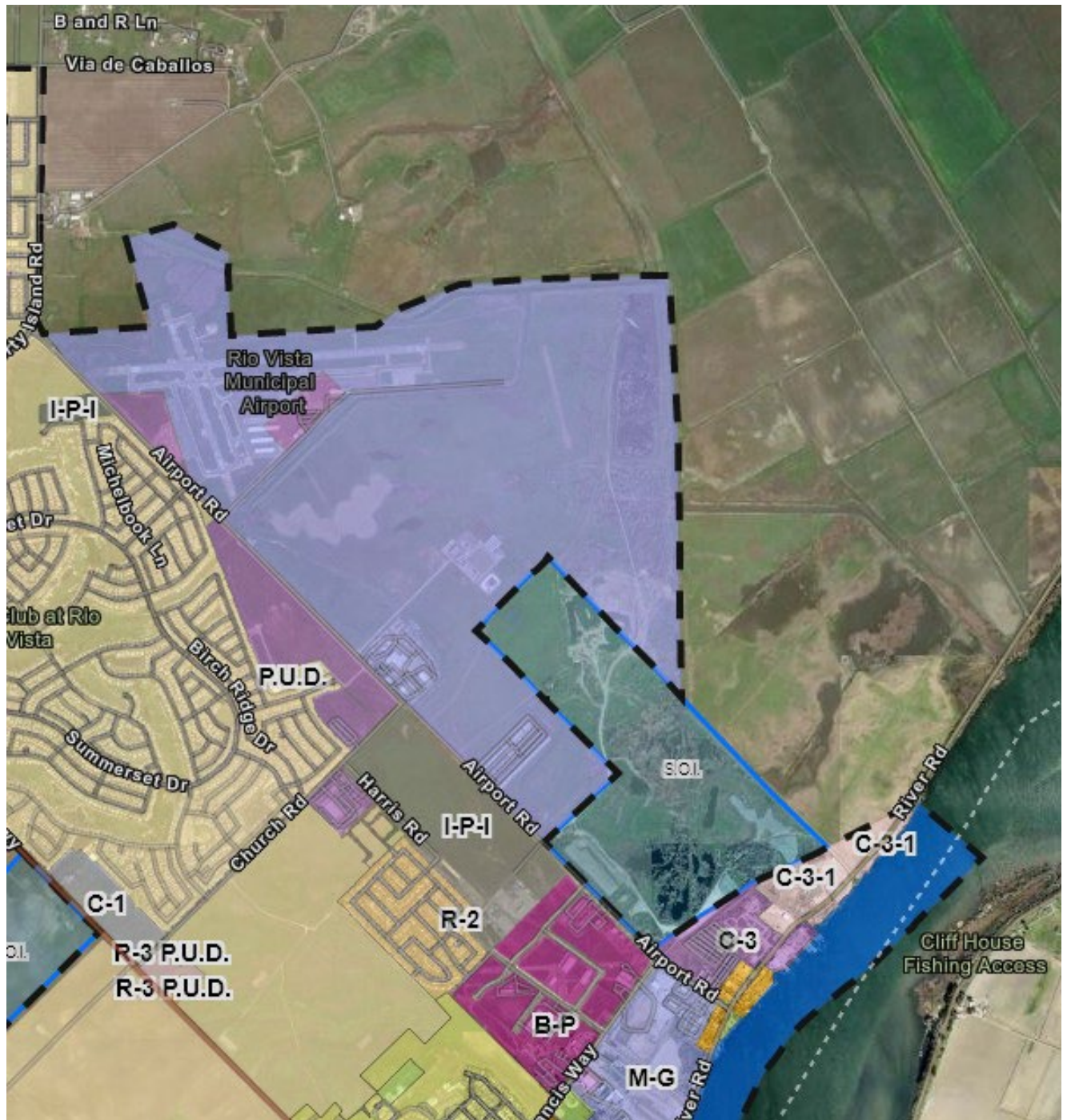
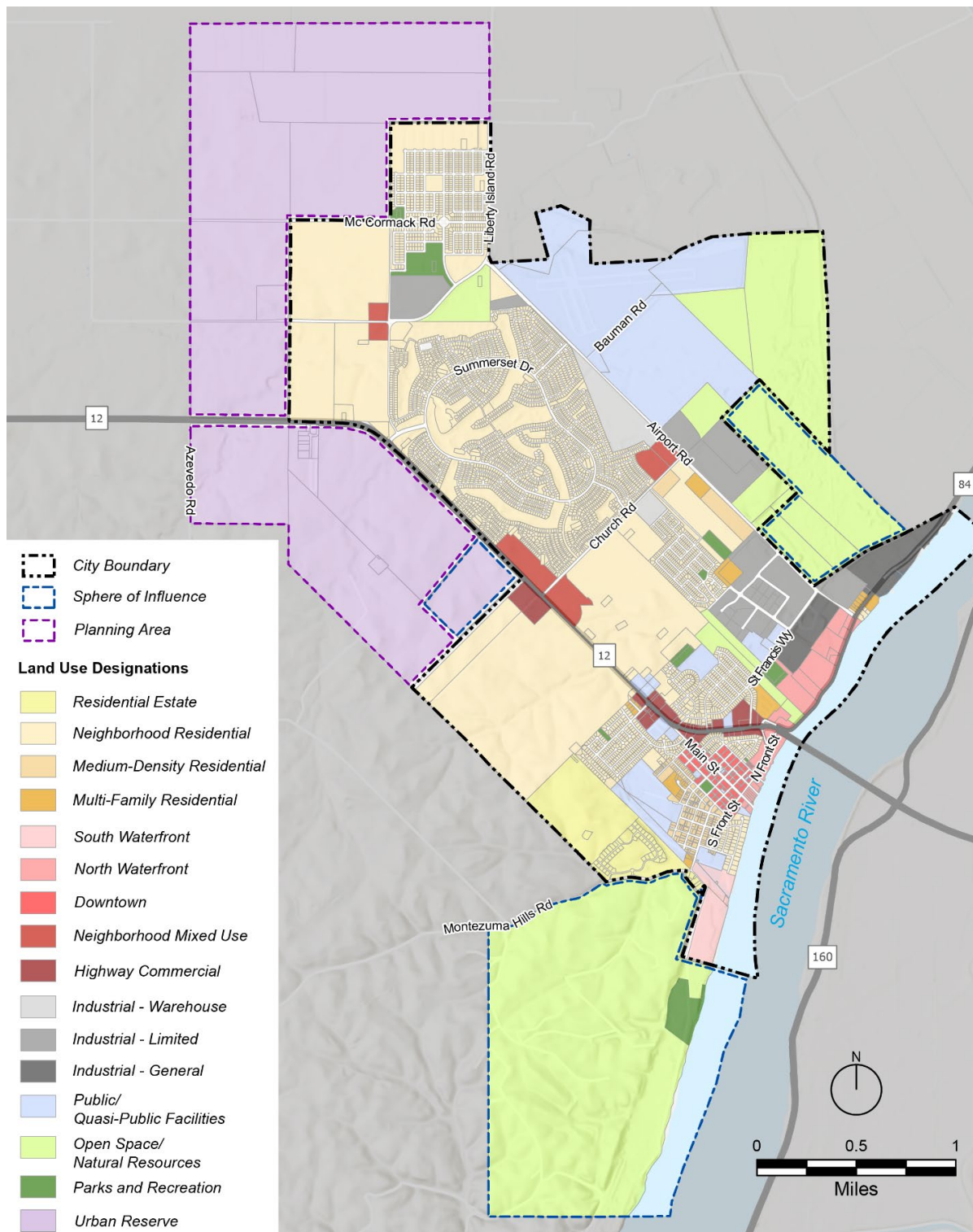
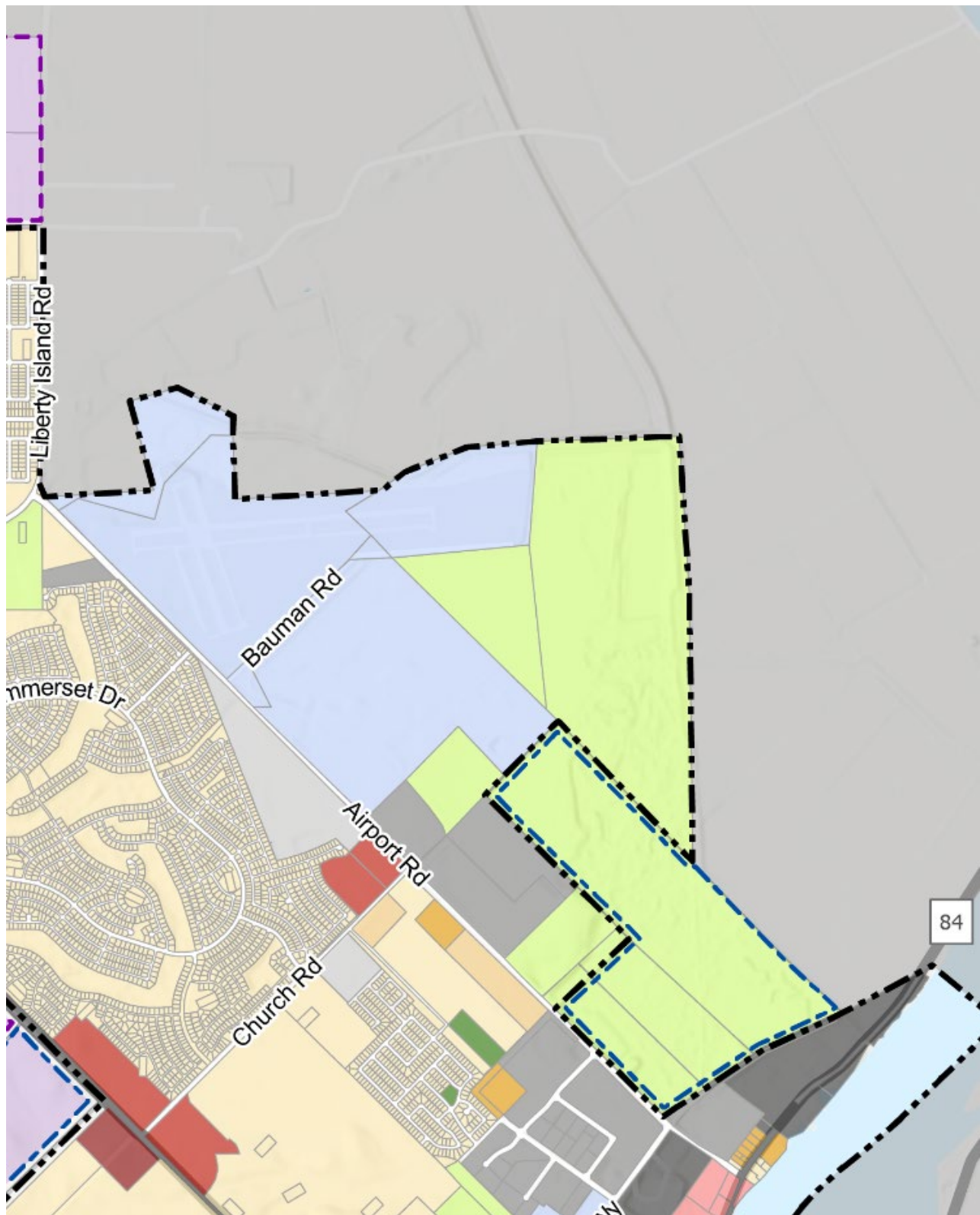


Figure 3: Rio Vista 245 General Plan Land Use Diagram



Source: Solano County 2022, US Census Bureau 2022, Interwest 2023, ESRI

Figure 4: Rio Vista 2045 General Plan – Delta Primary Zone



Public Resources Code 29763.5 Consistency Review

Based upon the following review and analysis, the City of Rio Vista believes the proposed Rio Vista 2045 General Plan is consistent with the required findings of Section 29763.5 as follows:

(a) The general plan, and any development approved or proposed that is consistent with the general plan, are consistent with the resource management plan.

The Rio Vista 2045 General Plan generally proposes uses that were previously approved under the 2001 Rio Vista General Plan and are reflected in current City zoning designations. The 2045 General Plan would result in an overall reduction of acreage designated for urbanized uses in the Primary Zone. Industrial uses retained adjacent to the Sacramento River support marine engineering uses required in the Delta and these uses require direct access to the Sacramento River. A collection of uses, some with urbanized use potential, are proposed as Public/Quasi Public, a designation that allows the continued operation of existing public facilities located in the Primary Zone, but that does not allow private industrial, residential or commercial uses.

(b) The general plan, and any development approved or proposed that is consistent with the general plan, will not result in wetland or riparian loss.

The primary land use change proposed under the 2045 General Plan involves changing land use designations adjacent to Airport Road from Industrial Employment to Open Space/Natural Resource. This area includes land previously disturbed for mining operations that appear to meet the criteria for emergent wetland.

(c) The general plan, and development approved or proposed that is consistent with the general plan, will not result in the degradation of water quality.

The 2045 General Plan does not designate any lands for urbanized development that are not already so designated under the adopted Rio Vista General Plan and under existing zoning designations. The 2045 General Plan would result in a net decrease of lands in the Delta Primary Zone designated for urban uses. Any future project would be subject to discretionary review and would be required to comply with adopted standards regarding rate of runoff and water quality associated with stormwater flows and operation of uses.

(d) The general plan, and any development approved or proposed that is consistent with the general plan, will not result in increased nonpoint source pollution.

The 2045 General Plan does not designate any lands for urbanized development that are not already so designated under the adopted Rio Vista General Plan and under existing zoning designations. The 2045 General Plan would result in a net decrease of lands in the Delta Primary Zone designated for urban uses. Any future project would be subject to discretionary review and would be required to comply with adopted standards regarding non-source pollution.

(e) The general plan, and any development approved or proposed that is consistent with the general plan, will not result in the degradation or reduction of Pacific Flyway habitat.

The 2045 General Plan does not designate any lands for urbanized development that are not already so designated under the adopted Rio Vista General Plan and under existing zoning designations. The 2045 General Plan would result in a net decrease of lands in the Delta Primary Zone designated for urban uses. Lands designated for urbanized uses are previously disturbed and do support migratory birds.

(f) The general plan, and any development approved or proposed that is consistent with the general plan, will not result in reduced public access, provided the access does not infringe on private property rights.

The 2045 General Plan proposed land use designations would not alter public access to any lands or infringe on private property rights. The conversion of land currently designated for industrial uses to Open Space would provide the opportunity to increase public access and recreation in the Delta Primary Zone.

(g) The general plan, and any development approved or proposed that is consistent with the general plan, will not expose the public to increased flood hazard.

The 2045 General Plan does not designate any lands for urbanized development that are not already so designated under the adopted Rio Vista General Plan and under existing zoning designations. The 2045 General Plan would result in a net decrease of lands in the Delta Primary Zone designated for urban uses. Any future project would be subject to discretionary review and would be required to comply with regulations related to flood protection.

(h) The general plan, and any development approved or proposed that is consistent with the general plan, will not adversely impact agricultural lands or increase the potential for vandalism, trespass, or the creation of public or private nuisances on public or private land.

Land uses proposed under the 2045 General Plan would not result in conversion of agricultural lands or place individuals or the public in proximity to agricultural lands. Therefore, no issues related to vandalism, trespass, or the creation of public or private nuisances on public or private land would result.

(i) The general plan, and any development approved or proposed that is consistent with the general plan, will not result in the degradation or impairment of levee integrity.

No use proposed under the 2045 General Plan would adversely affect a levee. Uses designated Heavy Industrial serve a critical role as marine civil engineering that protects land uses within the Delta.

(j) The general plan, and any development approved or proposed that is consistent with the general plan, will not adversely impact navigation.

Uses proposed under the 2045 General Plan will have no impact on navigable waterways.

(k) The general plan, and any development approved or proposed that is consistent with the general plan, will not result in any increased requirements or restrictions upon agricultural practices in the primary zone.

No uses proposed under the 2045 General Plan would require any restriction of use on agricultural land in the Primary Zone.

Delta Protection Commission Meeting

January 8, 2026

AGENDA ITEM 9: Update on Delta Conveyance Project Appeals Process and Potential Approval of Additional Comment Letter pursuant to PRC 29773

Prepared by: Amanda Bohl, Executive Director

Presented by: Amanda Bohl, Executive Director

Recommended Action: None

Type of Action: Receive

Background

On October 17, 2025, the Department of Water Resources (DWR) submitted its final Certification of Consistency of the Delta Conveyance Project (DCP) with the Delta Plan to the Delta Stewardship Council (Council). The Council's consideration of the Certification is a significant step towards implementation of the DCP.

The DWR Certification of Consistency filing on October 17 triggered a 30-calendar day appeal period during which parties could file appeal(s) challenging DWR's determination that the DCP is consistent with the Delta Plan. Because the 30th day fell on a weekend, the appeal deadline was Monday, November 17 per the Council's Regulations (Title 23 of the California Code of Regulations (CCR), section 5021(b).)

During the Commission's November 17, 2025, meeting, the Commission directed staff to 1) file an appeal with the Council (pursuant to 23 CCR Section 5022), submit comments pursuant to Public Resources Code 29773 and section 5028 of the Council's appeals procedures, and approved an outline of substantive points for inclusion, and 2) ensure that the 1981 contract between the North Delta Water Agency and Department of Water Resources be included in the Commission's response to other appeals.

Following direction from the Commission, staff submitted the appeal—on November 17, 2025—as well as comments related to its role pursuant to PRC 29773 (see attachment 1).

On November 20, 2025, staff submitted a letter to the Council requesting an extension of the appeals deadlines (Attachment 2). The extension was submitted in coordination with the other appellants, who submitted a joint request for an extension. In response, the Council granted an extension:

- January 2, 2026 – Deadline to submit an additional written submission
- February 26 and 27, 2026 – Council Appeals Hearing

On November 25, 2025, staff submitted a letter to the Council requesting clarification of the Commission’s deadline to submit comments on the appeals of others pursuant to section 5028 of the Council’s appeals procedures (Attachment 3). Staff requested an extension until February 9, 2026. This request was denied, per the following email:

“The purpose of Section 5028 is to provide the Delta Protection Commission ("DPC") the opportunity to appear as a non-party in a pending appeal process to provide comments on issues raised by party appellants as an agency with expertise in Delta-as-Place. (Cal. Code Regs., Tit. 23, Section 5028.) This is a significant role akin to a standing amicus curiae that permits the DPC to appear in appeal proceedings and provide comments as well as provide a presentation at the hearing, when the DPC is not a party to that proceeding. Here, the DPC has elected to appear as a party-appellant. The Notice of Hearing and Schedule of Written Submissions has provided a date for all appellants to submit their briefs. Accordingly, the DPC's written submission is due on January 2, 2026.”

On January 2, 2026, Commission staff anticipate submitting the following:

- A 20-page additional written submission per our role as an appellant, that also incorporates the Commission’s 5028 comments; and
- A series of maps showing cultural, historical, recreational, and business resources located within 1 mile of DCP features during construction, with a request that the maps be added to the record.

Current Status

As noted above, the Council has set February 26-27, 2026 for the appeals hearing. During the hearing, DWR and all 10 appellants will be able to address the Council. Between now and the appeals hearing, staff will be convening a panel to participate in the hearing on behalf of the Commission, and preparing testimony.

Staff would also like to submit an additional PRC 29773 comment letter. This letter would expand on the November 17, 2025, submission, providing more specific recommendations to the Council. Because these recommendations are more specific than what was previously vetted and approved by the Commission, staff requests the Commission’s discussion, consideration, and potential approval of these recommendations.

In summary, the additional PRC 29773 letter (Attachment 4) further details the recommendations the Commission previously made to the Council to remand the DCP in our November 17, 2025, letter. In addition, staff recommends the following:

- The convening of a binding and time-bound process to develop a path forward. This process should be led by the Delta Stewardship Council in its role as an independent state agency and should be underpinned by the policies and recommendations in the Delta Plan, including best available science. Additionally, all future discussions regarding conveyance should be conducted in full partnership with the stewards of Delta as Place values: tribes, county commissioners, city council members, community-based organizations, and the Delta Protection Commission.
- Any future process fully take into consideration the value of a portfolio approach that respects “Delta as Place” values. A portfolio approach should include the following: reinforcement of levees for through-Delta conveyance, improved storage, conservation, recycling, reuse, and investment in regional self-sufficiency toward reduced reliance on Delta.

Recommended Action

Review and discuss content of an additional PRC 29773 letter and direct staff to submit.

Relationship to Commission’s Strategic Plan: Vision 2030

The DCP touches the full range of the Commission’s strategic plan themes protecting the unique values that are Delta as Place, and including those related to water, agriculture, levees, economy, heritage, recreation and tourism, and education and outreach.

Attachments

Attachment 1: PRC 29773

Attachment 2: Letter to the Council requesting a stipulation to extend hearing deadlines pursuant to Cal. Code Regs. tit. 23, § 5030(b)(1)

Attachment 3: Letter to Council requesting clarification regarding deadline for submission of section 5028 comments

Attachment 4: Draft Additional PRC 29773 Comment Letter

Attachment 1: PRC 29773

(a) The commission may review and provide comments and recommendations to the Delta Stewardship Council on any significant project or proposed project within the scope of the Delta Plan, including, but not limited to, actions by state and federal agencies, that may affect the unique cultural, recreational, and agricultural values within the primary and secondary zones. Review and comment authority granted to the commission shall include, but is not limited to, all of the following:

(1) Identification of impacts to the cultural, recreational, and agricultural values of the Delta.

(2) Recommendations for actions that may avoid, reduce, or mitigate impacts to the cultural, recreational, and agricultural values of the Delta.

(3) Review of consistency of the project or proposed project with the resources management plan and the Delta Plan.

(4) Identification and recommendation of methods to address Delta community concerns regarding large-scale habitat plan development and implementation.

(b) The council shall take into consideration the recommendations of the commission, including the recommendations included in the economic sustainability plan. If the council, in its discretion, determines that a recommendation of the commission is feasible and consistent with the objectives of the Delta Plan and the purposes of this division, the council shall adopt the recommendation.

DELTA PROTECTION COMMISSION

2101 Stone Blvd., Suite 200, West Sacramento, CA 95691
(916) 375-4800 | delta.ca.gov



November 20, 2025

Julie Lee
Chair of the Delta Stewardship Council
715 P Street, 15-300
Sacramento, CA 95814
2025DeltaConveyance@deltacouncil.ca.gov

Katherine Marquez
Department of Water Resources
1600 9th Street Bateson, 2nd Floor
Sacramento, CA 95814
Dcp_consistency@water.ca.gov

Re: Request for Stipulation to Extend Hearing Deadlines Pursuant to Cal. Code Regs. tit. 23, § 5030(b)(1)

Dear Chair Lee and Ms. Marquez,

The Delta Protection Commission (Commission) stipulates to the requested extension submitted by the other appellants in their November 20, 2025 letter, to extend the hearing for the appeals of the certification of consistency, C20257, beyond 60 calendar days pursuant to Cal. Code Regs., tit. 23, § 5030, subd. (b)(1) (Section 5030(b)(1) or via the Council's sole discretion pursuant to 5027(b). This request is based on the tight timelines and intense workload for the Commission's small staff.

The Commission appreciates your consideration of this request.

Kind Regards,

A handwritten signature in cursive script that reads "Amanda Bohl".

Amanda Bohl
Executive Director

CC: Commission Clerk

DELTA PROTECTION COMMISSION

2101 Stone Blvd., Suite 200, West Sacramento, CA 95691
(916) 375-4800 | delta.ca.gov



November 25, 2025

Julie Lee
Chair of the Delta Stewardship Council
715 P Street, 15-300
Sacramento, CA 95814
2025DeltaConveyance@deltacouncil.ca.gov

Re: Request for clarification regarding deadline for submission of section 5028 comments

Dear Chair Lee,

The Delta Protection Commission (Commission) is provided a unique and expert role in the Delta Stewardship Council's (Council) appeals proceedings. Section 5028 states:

(a) (1) The Delta Protection Commission may submit written comments on issues raised by an appellant in an appeal and whether the certification of consistency for the proposed covered action is supported by substantial evidence in the record before the certifying agency. (2) The Delta Protection Commission may further make an oral presentation to the council regarding issues raised by an appellant in an appeal at the time and date of the hearing on the appeal. (b) The council shall consider the comments and presentation submitted by the Delta Protection Commission regarding issues raised by an appellant as those of an expert in matters that may affect the unique cultural, recreational, and agricultural values of the Delta when preparing, considering, and adopting its findings.

The November 24, 2025 notice of hearing and schedule of written comments for certification C20257 does not include a due date for the Commission's submission of written comments per section 5028(a)(1). The Commission requests that the Council grant the Commission a due date equal to that of the Respondent, 5:00 PM, February 9, 2026, or subsequent to the Respondent's written submission, 5:00 PM, February 13, 2026.

In order to fulfill its expert role, the Commission should be afforded at least the same amount of time that the Respondent has to review and comment on the appeals that have been filed. It is also important that the Commission have time to focus on the written submittal for its

own appeal before reviewing the other nine appeals. This is critical for the Commission to fulfill the regulatory role the Council has provided for it in Section 5028, particularly given the already tight timelines and intense workload for the Commission's small staff.

The Delta Conveyance Project is a significant project for the Delta and the Commission wants to ensure it can provide the Council with the input its regulatory scheme anticipates. If the Commission is able to provide input after the Respondent's submittal, the Commission's expert role will be further enhanced as the Commission will be able to understand the Respondent's view of the issues raised in appeals, allowing it to provide more fulsome input.

The Commission appreciates your consideration of this request.

Kind Regards,

A handwritten signature in black ink that reads "Amanda Bohl". The signature is written in a cursive, flowing style.

Amanda Bohl
Executive Director

CC: Commission Clerk



Delta Protection Commission
2101 Stone Blvd. Suite 200
West Sacramento CA 95691

January 9, 2026

Chair Julie Lee and Councilmembers
Delta Stewardship Council
715 P Street, 15-300
Sacramento, CA 95814

RE: Delta Protection Commission *Additional comments* (to November 17, 2025 submission) pursuant to Public Resources Code 29773 Recommendations for the Delta Conveyance Project Certification of Consistency (C20257)

Dear Chair Lee and Councilmembers,

The Delta Protection Commission (Commission), in its role representing Delta communities and advising the Delta Stewardship Council (Council) on protecting and enhancing unique Delta values, provides the following Public Resources Code (PRC) 29773 recommendations on the Delta Conveyance Project (DCP, or proposed project) certification of Delta Plan consistency. The Commission submitted initial PRC 29773 comments on November 17, 2025 and those comments are incorporated by reference here. This letter further details the comments and recommendations the Commission made previously.

On November 17, 2025, the Commission voted 9 in favor, 0 opposed, and one abstention to direct staff to appeal DWR's consistency certification (pursuant to section 23 Cal Code of Regs. (CCR) Section 5022) and to submit comments pursuant to both Public Resources Code (PRC) 29773 and section 5028 of the Council's appeals procedures.

As the State agency charged with representing the Delta region, the Commission works to protect, maintain, enhance and enrich the overall quality of the Delta environment and economy. We do this with a focus on agriculture, recreation, heritage and natural resources, while remaining mindful of the importance of the Delta to all Californians. While the 15-member Commission is comprised largely of local agency representatives throughout the region, it also includes representatives of four State agencies. Please note that the State agency Commission members took no position on the Commission's comments and position relative to the DCP.

The Delta Reform Act of 2009 articulates the State's basic goals for the Delta:

- (a) Achieve the two coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. It also states that the coequal goals "*shall* be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource and agricultural values of the Delta as an evolving place."
- (b) Protect, maintain, and where possible enhance and restore the overall quality of the Delta environment, including but not limited to agriculture, wildlife habitat, and recreational activities.
- (c) Ensure orderly, balanced conservation and development of Delta land resources.
- (d) Improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety.

(PRC section 29702; Water Code section 85054.)

The Delta Reform Act of 2009 also charges the Commission with a critical role, as set forth in PRC section 29773:

- (a) The commission may review and provide comments and recommendations to the Delta Stewardship Council on any significant project or proposed project within the scope of the Delta Plan, including, but not limited to, actions by state and federal agencies, that may affect the unique cultural, recreational, and agricultural values within the primary and secondary zones. Review and comment authority granted to the commission shall include, but is not limited to, all of the following:
 - (1) Identification of impacts to the cultural, recreational, and agricultural values of the Delta.
 - (2) Recommendations for actions that may avoid, reduce, or mitigate impacts to the cultural, recreational, and agricultural values of the Delta.

(3) Review of consistency of the project or proposed project with the resources management plan and the Delta Plan.

(4) Identification and recommendation of methods to address Delta community concerns regarding large-scale habitat plan development and implementation.

(b) The council shall take into consideration the recommendations of the commission, including the recommendations included in the economic sustainability plan. If the council, in its discretion, determines that a recommendation of the commission is feasible and consistent with the objectives of the Delta Plan and the purposes of this division, the council shall adopt the recommendation.

This authority to provide comments and recommendations to the Council pursuant to PRC 29773 is separate from and in addition to the Commission's ability to participate in the appeals process. Pursuant to PRC 29773, the Commission is invited to provide recommendations to the Council on projects before it and the Council is required to consider the Commission's recommendations and to adopt them, if the Council determines they are feasible and consistent with the objectives of the Delta Plan.

As discussed in our November 17, 2025 PRC 29773 letter, the proposed DCP is inconsistent with the Delta Plan policies and recommendations regarding "Delta as Place." If carried out as proposed, the DCP will irrevocably alter the rural character of the Delta, its economic pillars (agriculture and recreation), and its cultural heritage. This represents a significant adverse impact on the achievement of the coequal goals, since the coequal goals must be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource and agricultural values of the Delta as an evolving place. The DCP purports to achieve water supply reliability, but does so at the expense of the Delta, as we demonstrate below and in our appeal. By failing to adhere to the mandates of the Delta Plan and the Delta Reform Act, including PRC section 29702(a) and Water Code section 85054 to "protect and enhance" Delta values, the DCP undermines, and is inherently inconsistent with, the Delta Plan and the Delta Reform Act. **DWR cannot mitigate its way out of the enduring impacts of the DCP that will be felt in the Delta and undermine its statutorily protected values for the State of California.**

The Commission's November 17, 2025 PRC 29773 letter includes more specific comments related to the impacts of the DCP. This letter is included as Attachment 1 to this submission. For this submission, the Commission builds upon and distills from its previous comments the recommendations it is asking the Council to consider pursuant to PRC 29773.

As stated above, PRC 29773 provides the Commission with review and comment authority on any significant project within the scope of the Delta Plan. It also, per the last clause, states that the Council “shall take into consideration the recommendations...and...if the council...determines that a recommendation of the commission is feasible and consistent with the objectives of the Delta Plan...the council shall adopt the recommendation.”

To this end, the Commission makes two recommendations—one procedural and one substantive—to the Council. Both include remanding the DCP to DWR.

Procedural Recommendation

From a procedural standpoint, the Commission recommends that the Council require that water conveyance build on past, successful collaborative processes. The State of California has a robust and successful history of collaboration around Delta issues: the Delta Protection Act of 1992, the Delta Blue Ribbon Task Force, the Delta Reform Act of 2009, and the Delta Plan. Conveyance should be no different. Instead, it has been the sole pursuit of DWR operating in isolation, without a collaborative process. It is telling, however, that despite DWR’s decades-long pursuit of isolated conveyance (peripheral canal, dual tunnels, one tunnel), and the initial inclusion of WaterFix in the Delta Plan, none of these has come to fruition.

The State of California has an opportunity to continue to lead in this collaborative space. The Commission recommends that the State of California convene a **binding and time-bound** process to develop a path forward. This process should be led by the Delta Stewardship Council in their role as an independent state agency and should be underpinned by the policies and recommendations in the Delta Plan, including best available science.

Furthermore, all future discussions regarding conveyance should be conducted in full partnership with the stewards of Delta as Place values: tribes, county commissioners, city council members, community-based organizations, and the Delta Protection Commission.

Substantive Recommendation

The Commission recommends that the Council insist that any future proposal fully take into consideration the value of a portfolio approach that respects “Delta as Place” values and conforms with the goals and policies and requirements of the Delta Plan. A portfolio approach should include the following: reinforcement of levees for through-Delta conveyance, improved storage, conservation, recycling, reuse, and investment in regional self-sufficiency toward reduced reliance on Delta. These components can be combined and utilized to provide water reliability for those outside of the Delta while also protecting Delta as Place. This approach also includes components that will need to be completed

even if the DCP, as proposed, is implemented. Thus, the portfolio approach is fiscally wise for California.

The Commission acknowledges the decades of work and money that the State of California has invested to formulate solutions for water supply reliability and agrees that something must be done to ensure water supply reliability for the people and farms outside of the Delta who rely on Delta water. However, it's time to get past the binary thinking that has boxed the State of California into believing that a canal or a tunnel is the best path forward for water supply reliability. The Commission is willing to discuss ways to meet water supply reliability outside of the Delta but not at the expense of Delta values. As we've seen for the past several decades, the people of the Delta oppose a project that does nothing for the Delta and in the case of the presently proposed DCP, has significant adverse impacts on Delta values. A portfolio approach can respect the Delta as place and provide water supply reliability for those outside of the Delta.

The Commission welcomes the opportunity to be part of conversations and a defined process to identify a path forward that respects all aspects of the coequal goals.

Sincerely,

A handwritten signature in black ink that reads "Amanda Bohl". The signature is fluid and cursive, with the first name "Amanda" being more prominent than the last name "Bohl".

Amanda Bohl
Executive Director

Attachment A: November 17, 2025 PRC 29773 Submission

cc: Members, Delta Protection Commission