

STAKEHOLDER ENGAGEMENT COMMITTEE

MINUTES

REGULAR MEETING

Wednesday, June 23rd, 2021

3:00 PM

(Paragraph numbers coincide with agenda item numbers)

[Editor's Comment: Minutes are provided to ensure an accurate summary of the Stakeholder Engagement Committee's meetings. The inclusion of factual comments and assertions does not imply acceptance by the Delta Conveyance Design and Construction Authority.]

1. WELCOME/CALL TO ORDER

The regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Stakeholder Engagement Committee (SEC) was called to order via RingCentral video conference at 3:00 pm.

Director Palmer welcomed the SEC and meeting guests and thanked all for their participation. The meeting is being held via phone and video conference pursuant to Governor Newsom's Executive Order N-29-20 in response to the COVID-19 State of Emergency.

The purpose of the SEC is to create a forum for Delta stakeholders to provide input and feedback on technical and engineering issues related to the DCA's current activities. The SEC is a formal advisory body to the DCA Board of Directors. As such, and like the DCA itself, the SEC is subject to public transparency laws applicable to local public agencies like the Brown Act and the Public Records Act. It is important to note that the SEC and its meetings are not part of the Department of Water Resources' (DWR's) California Environmental Quality Act (CEQA) public outreach process related to any potential Delta Conveyance project and therefore comments made at this meeting will not be tracked or recorded for those purposes. SEC member comments at this meeting will be recorded and tracked, but only for the purposes of the DCA.

2. ROLL CALL/HOUSEKEEPING

Committee members in attendance were Gil Cosio, Anna Swenson, David Gloski, Cecille Giacomina, Mike Hardesty, Douglas Hsia, Jim Cox, Mike Moran, Barbara Barrigan-Parrilla, Isabella Gonzalez-Potter, Lindsey Liebig, Dr. Mel Lytle, Gia Moreno, and tribal representative alternate Chairman Jesus Tarango.

Members Angelica Whaley, David Welch, Karen Mann, Philip Merlo, and tribal representative Vice Chairwoman Malissa Tayaba were not in attendance.

DCA Board Members in attendance were Director Sarah Palmer (Chair) and Barbara Keegan (Vice Chair). In addition, DCA and DWR staff members in attendance were Graham Bradner,

Carrie Buckman, Joshua Nelson, Annie Branham, Janet Barbieri, Phil Ryan, Valerie Martinez, Nazli Parvizi, Claudia Rodriguez, and Jasmine Runquist.

Chair Palmer reviewed meeting guidelines and norms. All meetings are subject to the Brown Act. The Chairperson presides over meetings and the Vice-Chairperson presides over the meeting in her absence. Discussion will be guided by the meeting facilitator, Valerie Martinez. Staff will provide technical information to support the committee's work. Each meeting will be goal-oriented and purpose-driven. The information provided is for purposes of discussion only and is subject to change. The committee holds no formal voting authority. We will seek consensus. All views will be listened to, recorded and reported. Participation in the SEC does not imply support for any proposed conveyance project.

Chair Palmer stated that this meeting has a change of platform within RingCentral which places the SEC members in a different virtual meeting room than attendees. The SEC discussion and public comment processes remain the same. Attendees will remain muted and not have a video option unless they are speaking during public comment. The DCA will unmute the speaker however the speaker will have the option to turn on their video. The SEC members have full control of their video and audio. The chat function will not be used in this meeting even though it can be seen.

Chair Palmer reviewed housekeeping items. Members of the public can request to speak during the public comment period by emailing publiccomment@dcdca.org. Written comments will be added to the record but not read during the meeting. DCA will work to ensure everyone is heard and receives the information needed.

The meeting is being recorded and will be posted on the website following the meeting. Please be mindful of your background, and please mute your microphone and/or stop your video if you need to step away during the meeting. In order to provide organized comments and allow SEC members to speak without talking over one another, SEC members are asked to use the "Raise Hand" feature in order to be recognized to speak during the by Meeting Facilitator Valerie Martinez.

Chair Palmer noted that this meeting pertains to engineering topics only and discussion can only contain topics in the DCDA purview.

3. MINUTES REVIEW:

A change was received via email from Mr. Hsia that will be implemented into the minutes.

Mr. Hsia said in his statement on page - regarding equity ratio, the word "stakeholder" needs to be retracted.

4. Item 4

4a. DCA Review and Updates

Chair Palmer said that Mr. Brander was confirmed unanimously at the last DCA Board Meeting as the Executive Director of the DCA.

Mr. Bradner thanked Chair Palmer and discussed the decision to adjust the meeting cadence for the DCA Board of Directors. Moving forward starting in July, meetings will shift to bi-monthly. Monthly Board reports will continue to be prepared to summarize progress. At any time if there is desire to change the cadence again, it can be discussed and decided by the Board. It is expected next year around early to mid-spring, the meetings will be more frequent as some of the discussions about the proposed project change.

The Board has approved an adjustment to attendance and size of the SEC from a 20-member body to a 17-member body. This adjustment was made because there were three vacancies not filled and quorum was almost not reached at the last SEC Meeting in April. It would be very disruptive to lose quorum; the DCA would need to shut the meeting down in that moment due to the Brown Act. To keep the SEC sustainable and functional, at this time it seems best to eliminate the vacant seat. Additional seats can always be added back which has been done in the past. There are five ex-officio seats and currently only three are taken. There are still two ex-officio seats available. This change was intended to strengthen the SEC by ensuring that quorum is met and that meetings go forward without disruption due to attendance.

Vice Chair Keegan said that an ex-officio position on the SEC to represent recreational boating is currently open. Recreational boating is an important part of the Delta community in terms of people living in or visiting the Delta. Perhaps an ex-officio member could take that role and not only represent the recreational boaters but also the business community within the Delta.

Mr. Nelson provided a status of the Executive Order that allows the SEC to meet remotely. As part of the June 15th reopening, the Governor issued an Executive Order that continued the current Brown Act suspension that allowed completely remote meetings thru September 30th. The next meeting scheduled on September 22nd will still be remote. Beginning October 1st, absent further clarification from the Governor, meetings will transition back to the original rules of the Brown Act that did include teleconferencing for the members of the Committee but requires those locations where a member is participating remotely to be listed on the agenda and open to the public. Given those constraints, staff is looking to move back to in-person meetings beginning in October, but DCA is still reviewing all options.

4b. DWR CEQA Status Update

Ms. Buckman presented updates on the environmental review process, which is the general process DWR is conducting to move towards an Environmental Impact Report. DWR is currently working on technical reports and assessing impacts. DWR is producing a series of technical analyses to try to help understand the alternatives better and using these as the basis to analyze impacts. If significant impacts are found, DWR will assess potential mitigation. DWR is in the middle of that process; once completed it will be combined into an internal draft, then a public draft EIR, which is still scheduled for release in mid-2022. There will be a public review after the public draft is released.

DWR is working on the CEQA technical studies and impact analyses to work towards compiling a Draft EIR. For National Environmental Protection Act (NEPA), the US Army Corps of Engineers (ACE, Corps) is leading the NEPA process. They are following a similar process to develop an

Environmental Impact Statement (EIS) and are also planning to release that document in mid-2022.

There is also work proceeding for soil investigations. DWR completed an Initial Study and Mitigated Negative Declaration last year. Soil investigations were conducted in 2020, and there was a break during the wet season. Work resumed in March 2021. A short break is expected in July, but information is always available on the website, including a map and a two-week look ahead that is kept up to date.

Mr. Gloski asked what the difference is between the CEQA analysis and the analysis that the Corps conducts. Are they looking at different things? How does the work differ?

Ms. Buckman said generally the types of things studied are similar. The biggest difference is the Corps has guidance to keep their environmental documents to less than 300 pages. The main body of their EIS will be shorter. A lot of information is incorporated by reference either from DWR's EIR or appendices because this is a very large project to try to analyze the environmental impacts in 300 pages. The main body of the EIS will be shorter than the EIR; that is the most notable difference. Another difference is that NEPA includes some analysis of some resources that CEQA does not include such as environmental justice impacts and socioeconomics. Although not required by CEQA, DWR is including those in the EIR to provide information towards developing the NEPA document because that information is useful. Typically, environmental justice impacts and socioeconomic impacts are not included in EIRs.

Mr. Gloski asked if one is a state document, and one is a federal document.

Ms. Buckman said yes, CEQA is a state requirement so any state agency that has to take an action, either to implement a project, approve a permit, or provide funding needs to complete CEQA. The same is true for NEPA. NEPA is the federal equivalent, so it is a little different, but both have similar objectives.

Mr. Gloski asked if ACE works with DWR and shares information.

Ms. Buckman said since the Corps is a regulatory agency, not a project partner, they use their role a little differently. The Corps wants to maintain impartiality, but they are regulating the proposed project. The Corps is proceeding to develop their EIS separately from DWR. DWR is sharing the information as it is developed so they can use that as part of their EIS if they choose to.

Ms. Barrigan-Parrilla asked if an Administrative Draft of the EIR is coming out in the next few weeks.

Ms. Buckman said DWR is not releasing any internal draft; those are for internal review. The consulting team is working on a draft for DWR to review, but it is not entirely known yet what that draft will entail. It is definitely something more like an internal draft that will include many things that will need review and revision. Unlike WaterFix, DWR does not plan on releasing those internal working documents. It was frustrating to provide the public a document for information, but not be able to accept comments on it. Instead, DWR will be waiting to release the public draft when it is ready for review and DWR is able to address comments.

Ms. Swenson asked what the timeline is for the public to comment on the Draft EIR.

Ms. Buckman said when DWR releases the draft EIR, they are planning on a 3-month public comment period. The regulation is 45 days, but DWR recognizes that more time needs to be provided to the public. The Corps has their own process, and they are planning a shorter review period, and that time frame is currently unknown. DWR is planning to have the review periods overlap, but DWR's review period will likely extend longer on both sides of the NEPA process.

Ms. Swenson said one of the issues in the Delta is accessing the documents, as there is a broadband issue. One of the solutions proposed was to provide materials on flash drives or CDs and have those available at the library. Could that be done to make the Draft EIR more available to people who have access issues?

Ms. Buckman said there will be copies available at libraries and any other locations that would be useful. DWR is happy to spread out copies and mail CDs, flash drives, or provide the materials whichever way is easiest.

Ms. Martinez clarified that the documents are anticipated next year, in 2022. The logistics of the distribution process are currently being discussed.

Ms. Buckman said there have been some limitations in the last year due to COVID, but are expecting some of the dynamics to be easier with libraries open and more accessibility to people.

4c. SEC Questions or Comments on April 28th Meeting Presentation

Ms. Giacomina asked how to access the survey results.

Ms. Barbieri said she could provide the link in the chat and send out an email. [Editor's note: the link is <https://water.ca.gov/Programs/State-Water-Project/Delta-Conveyance/Environmental-Justice>.]

Ms. Giacomina asked if the survey results included all the input from the survey.

Ms. Barbieri said it is a summary report and results of the questions. The team is working on scrubbing confidential data from individual survey responses to make sure that responses remain confidential.

Ms. Giacomina asked why the survey was confidential. She is looking for statements, not their names.

Ms. Barbieri said that is how surveys are designed. A lot of times people do not want to participate in a survey if they feel that their personal information is going to be used somehow. The goal is to make it clear that survey responses are confidential and to make sure to protect all people who participate.

Ms. Barrigan-Parrilla asked if locations of participants from the survey will be available to view. Possible tools for locations could be Census Tract matched up to Cal Enviro Screen, or the indicators used by the DSC in the Climate Vulnerability Assessment. Even a map in a broader geographical area could be provided.

Ms. Barbieri said she was not sure exactly what will be available. The main element of concern is the confidentiality aspect. Everything that was collected and does not betray the confidential promise will be provided.

Ms. Barrigan-Parrilla asked if there is a way to have a map to overlay in a broader geographical area compared to Cal Enviro Screen. It is important to see how it matches up with identified EJ communities. It is important data to understand. What was conducted was a survey, and there is a difference between a survey and a deep ethnographic study. She would like to see it versus the statistical data from CalEPA. Ms. Barrigan-Parrilla said it is important to be able to understand the data to ensure the right people are being reached.

4d. Public Comment on Item 4

There were no public comments.

5. Item 5 Updates & Committee Discussion

5a. Design Changes

Mr. Ryan presented an update on the South Delta Connection. The area on the presentation graphic is only involved on the Central and Eastern Corridors, for the 7500 cfs alternatives. In that case, there would be a connection from the South Delta facilities to the Delta-Mendota Canal (DMC). The main facilities there are the control structure that would be added on to the South Delta Outlet and Control Structure, the 20-foot diameter tunnel, outlet structure, and DMC Control Structure. The facilities are similar for Bethany, but it connects at the other side of the Canal.

The DMC connection features were updated recently to give it the same level of flood resiliency that the rest of the project has. The Delta-Mendota Canal is a bit lower than the rest of the project this particular facility had not yet been done with the 200-yr + sea level rise flood resiliency. In that type of flooding event, if the Central Valley Project were participating, they would be able to use this facility where their own facilities might be drowned out. The flow does need to be maintained in this Canal while all of this is built, which is where the cellular cofferdams come in. These are represented on the presentation graphic with little white dots. A sheet pile channel would be put around those from the upper one to the lower one, and then dry out the channel in between to build the structures.

There are large spoils piles on the sides of the DMC from when they dug them originally. It is a lot of material, so that would need to be moved out of the project area. It is set up so that whatever is dug up on one side is stockpiled on the same side. The west side is a pretty small stockpile because there is not nearly the same amount of excavation on that side due to the bypass on the other side. The one on the right is quite a large stockpile for the excess material.

One of the main reasons for stockpiling near the site is because it is a very difficult place to truck the excess material to the Southern Forebay and this reduces the overall impacts of the project.

Mr. Bradner presented the realignment of the Ring Levee at the Twin Cities Complex. The original configurations are shown on the presentation graphic with the Central & Eastern Corridors on the upper left and the Bethany Reservoir on the lower right. These were originally designed to fully surround the construction work area and intended to provide protection for 100-yr flood event, if it were to flood the inside of Glanville Tract as in the past. The original configuration required a “tie in” to Dierssen Rd. ramp over I-5 to create the full perimeter ring levee protection. The site is configured with a north area and a south area that sort of duplicate one another, which was intended to provide space for potentially two separate tunnel contractors (North vs. South tunnel).

Both the Central & Eastern Corridors and the Bethany Reservoir configurations have been reconfigured to remove the “tie in” Dierssen Rd. ramp and pull things away from I-5 a bit to a space for flow on that side. The west side of the ring levee also had to be shifted to allow space for shallow overland flow as it does occur in this area and the topography is generally sloping from north to south, and has historically flowed overland onto Dierssen Rd. This reconfiguration provides room for that shallow overland flow to follow that topography flowing over the low section of Dierssen Road. At the same time, it allowed better access to the existing culverts under I-5. The point of these reconfigurations is to allow that space for movement of water and access to those culverts.

The next change is to the Southern Forebay footprint. Mr. Bradner showed a presentation graphic for the original configuration of the Southern Forebay and pointed out stockpile areas, topsoil storage, permanent peat stockpile tucked in between Italian Slough and the Southern Forebay where peat that was excavated from the foundation would be stockpiled permanently and then covered to prevent oxidation. There was an area on the northside (large rectangular area) that was identified as RTM material and permanent topsoil stockpile. All combined, it creates several stockpile areas and footprint effects.

The revised configuration no longer has the peat stockpile by Southern Forebay and Italian Slough. The temporary topsoil location is no longer located on the northeast side. The northern area has been deemed sufficiently sized for all the materials discussed. In doing that, it reduces the temporary footprint about 250 acres and the permanent footprint about 150 acres.

Gloski asked if in this diagram, does it mean that during the project the area of the forebay is being used to do treatment of this RTM stockpile and then it would turn into a forebay.

Mr. Bradner said that is correct. The RTM will be generated from two different tunnel drives, the north drive out of the pumping plant area and the outlet tunnel drives that leave from the southern end of the forebay heading south. So, there are two areas to spread and dry that material and then stockpile for reuse.

Mr. Gloski asked if there have been any internal discussions regarding the project delivering fresh water to the South Delta and the dual tunnel being redundant going up to Bethany.

Ms. Buckman said as for the pump redundancy, there have been discussions about the idea that if the Bethany Pump Station was connected to either Clifton Court Forebay or to Banks, there will be additional redundancy in the systems. From the team's perspective when looking at that, those connections have increased potential environmental effects. They will be in areas where there are sensitive species to be concerned about. Additionally, there is already a good amount of redundancy because they are looking at a dual system where either Clifton Court Forebay or Banks for Bethany can be used. That was not carried forward into the alternatives. In terms of the possibility of having the water from the Southern Forebay able to go into the Delta under emergency conditions, that is something still being discussed. It has not yet been fully flushed out and discussions have been had with folks that do that type of management. They do recognize that every potential knob that is available during an emergency would be considered. The plumbing aspect of that has not yet been worked out and would be included.

Mr. Gloski said the basics of it are already there if there is an overflow from the Southern Forebay and the Italian Slough. Regarding the redundancy, he will continue to bring it up. In all the discussions that the team has set him up with, he has heard that the existing pump systems are pretty long and there are maintenance issues and such.

Ms. Swenson said regarding the ring levee and configuration at Twin Cities, a ring levee in an area that already experiences issues of high-water events is troubling. When the railroad raised the rail line to prevent damage from floods, there were negative impacts on landowners in that area. Now, this will potentially cause havoc in this area during mild and moderate high-water events because it is another raised ring barrier in an area where it is already flood prone. It does not seem like the DCA has considered the potential danger in this area with an additional ring levee.

Mr. Bradner said the team is aware of the historical flooding that has occurred in the area. When flood risk mitigation was performed for all sites, they looked very hard at this area. They landed on the ring levee as a temporary facility to protect the construction operations. It is the only alternative. He agrees that the railroad embankment along the eastern side of the railroad track is an issue. Although it does provide flood protection, it is a railroad embankment. The ring levee does provide protection for the construction site. In a detailed fashion, the team has been looking at an existing hydraulic model, which flood engineers are familiar with. The ring levee configurations have been included to ensure that the levee itself will not have substantial impacts on existing flood conditions, like shallow flooding in broad areas. That work is in progress but if interested they can bring that back at the next meeting.

Ms. Swenson said people see the embankment as an improvement but do not see the impact to the area. A ring levee in a historical flooding area is not in the best interest of the people. This permanent facility must get raised and anytime something is raised for flooding, it has negative impacts to others. This increases flood risk for homes in the area.

Mr. Bradner said the team is using the best available technology and engineering to verify that the ring levee is not affecting surrounding flood levels and properties.

Ms. Swenson said that is also what the railroad project told residents and now they are experiencing negative impacts. Although intentions are good, historically other projects have proven otherwise.

Mr. Bradner said if there is interest, this is something that can be revisited at a future meeting.

Mr. Hsia said he understands the intention with the ring levee is to protect the operation but as a reminder, most of the levee around the area is less than 100-yr flood protection. In the future, more attention should be paid to the protection of the levee in the region rather than focusing on the operations.

Dr. Lytle said as someone who lived in the area during 1986, he understands the railroad track impacts. They caused significant flooding over a wide area. How was the potential flood impact with this new ring levee modeled? Not only to this area but to neighboring areas including those all the way to Elk Grove. Secondly, how was it determined that a 100-yr protection would be sufficient? Dr. Lytle's concern is that there will be a dry area of RTM that is 15-25 ft high where a 100-yr event could occur and expose that entire area to RTM being dispersed throughout the watershed and land in and around that. The analysis of 100-yr protection might be insufficient to protect the contaminated spoils that might be there.

Mr. Bradner said there has been a lot of information and data regarding the RTM and its properties. At this point, nothing has indicated that it is toxic or hazardous materials, it appears to be soil. In terms of identifying flood levels and analysis levels, note that the ring levee is a temporary structure and will be there for the life of the construction, then degraded and added to the permanent stockpile of material there. In the analysis performed, one thing that was not included was the McCormack-Williamson Tract Project, which is going to lower flood levels of the channels and reduce the flood risks. As far as the flooding characteristics in that area, it is actually higher in topography, closer to the embankment, it is going up to points higher in elevation where historically it has been dry. As it flooded as deep as in and around the I-5, the stockpile will eventually be located. It might be good to go through this in more detail at a later date.

Mr. Moran asked what the Bethany Alternative would look like with a tie in with the federal Central Valley project.

Mr. Ryan said the structure shown for Central and Eastern that is in the canal would be duplicated and an outlet structure, similar to that shown earlier, except on the other side of the canal would be included. Where the stockpile is would potentially be the location of the Bethany pumping plant. There would be a pipeline coming off the pumps and would feed into the outlet structure on the opposite side. The facility is similar but not exactly the same.

Mr. Moran asked if essentially, they will have a tie in to the tunnel with whatever required hardware there would be.

Mr. Ryan said yes, it would require pumps at this particular facility because the water level at the DNC is already pretty low but the ground level at the pump station is elevation 50 so it has to get up to the surface for delivery with a pipeline. Depending on flow rate in the tunnel, water level could be low in the tunnel. Where it flows essentially by gravity after the forebay on Central and East options, at the Bethany option it is always pumped.

Mr. Moran asked where the Bethany pipe system would go.

Mr. Ryan said the pumping plant will be where the stockpile is and by the edge of the canal there would be an outlet structure.

Mr. Moran asked how far it would be over to the Delta canal from Bethany.

Mr. Ryan said it would be about half a mile.

Mr. Moran asked if it would be on the surface or underground.

Mr. Ryan said it would be a buried 15-ft diameter pipeline.

Ms. Buckman said the EIR has not included an alternative where Bethany is connected to that approach channel. As of now, the team is looking at Bethany. The feds have not committed, so all the comparisons have gone back to 6000 cfs where there is no connection to Jones. The description of the DMC connections is just for informational purposes.

Ms. Barrigan-Parrilla asked if regarding flood control, analysis been lined up with Climate Vulnerability Assessment from the Delta Stewardship Council.

Mr. Bradner said DCA has reviewed that for the future heights of everything and what levees are going to be overtop in the system. It is an overtopping event being discussed and the future of water conditions around the Delta. For design at the point, the local 100-year surface is being used within the Consumnes River Channel and then projecting them at very high level across the Glanville Tract to design the temporary ring levee. The ring levee is pretty conservative in its ability to protect the construction work since operations within it are isolated from any potential flooding. DCA has not yet accounted for the McCormack-Williamson Tract which will also help bring levels down in the area. There are a lot of different options.

Ms. Barrigan-Parrilla said she is worried about what will be left after construction, so more analysis needs to be done regarding the climate vulnerability assessment. Some things seem to be happening faster in terms of climate. How would it be handled if people need to be relocated? Would it be temporary, or would the eminent domain footprint be expanded?

Mr. Bradner asked if she was talking about the area inside the yellow; not just the red.

Ms. Barrigan-Parrilla said even where temporary yellow does not apply, the construction will be so intense and so will the impacts. How long will eminent domain be used?

Mr. Bradner said he does not have answers at this time, they are not at that stage. At this point, the team is focusing on temporary and permanent impact areas. During construction, those will be brought back and will not be part of a permanent structure from an engineering standpoint.

Mr. Ryan said what Mr. Bradner showed is not an expansion, it's actually a substantial reduction.

Ms. Barrigan-Parrilla said whether it is an expansion or not, living right up against that is problematic. Second question, she understands from the 2016 testimony given at the Water

Board for WaterFix that there is an extensive footprint of plants used for cultural purposes as medicine and for tribes throughout California that use the native plants in this area for their practices. Has any analysis for that been done yet?

Ms. Buckman said the tribal consultation is occurring through DWR. The team is working actively with 15 tribes and discussing the impacts and concerns, but it is a confidential process.

Mr. Cosio said regarding the Twin Cities Rd. site, he suggested talking more to Sacramento County about that area. Talking about the 100-yr flood, it is true that in the 1986 and 1997 floods there was some overland flow coming through the railroad, but it could be coming from other directions too. The RD-1002 levee the Delta levee investment strategy from 2017 was labeled a 15-yr level of protection. In 2017 there was major flood fighting on the south levee of Lost Slough and the west levee along Snodgrass Slough and almost lost it. 100-yr flood certainly has more pressure on it than that of 2017. Sacramento County is wrestling with FEMA on the flood elevations in that area and up to Point Pleasant area. He said that they have been working with them to try to get their maps revised but FEMA requires flood levels from the Sacramento River because those levees are not FEMA-certified either. It is important to be careful about the actual water and where the water is coming from. He suggested to ensure that the team works with Sacramento County and their consultants to ensure that they are comfortable with everything happening.

Mr. Bradner said DCA did see what he is talking about and that the water does sweep around in multiple directions. A reconfiguration of the levee is intended to keep all that moving.

Ms. Giacomina asked if the ring levee is temporary for construction and will later be removed.

Mr. Bradner said that is correct.

5b. Ongoing Outreach Efforts

Ms. Parvizi provided an update on the Hood Community meeting that was conducted the previous day. She said she is grateful for the SEC members that have expressed concern about Hood receiving all necessary information from the DCA. She thanked Ms. Moreno and others who helped identify some folks. The DCA went to the area with the engineering team and presented information about the construction effects in Hood and some of the things they were working on. DCA heard the concerns from folks and gathered information. She reminded that if there are groups the SEC believe are not getting proper information, DCA can conduct presentations with necessary materials screens and internet connection due to the broadband issues. Ms. Parvizi said that this was a model that worked well and thanked the SEC members that helped with Hood. Going forward, the DCA is looking into doing more meetings like that.

5c. Community Benefits Program Update

Ms. Barbieri addressed the environmental justice survey and added the link to the environmental justice section on the website in the meeting chat, so folks had access to that. The executive summary is also available in Spanish. She said that both Ms. Taylor and Ms. Birkhoff who presented in a previous meeting are available to present to any groups if they are interested.

Ms. Barbieri said DWR has concluded the first round of community workshops for the Community Benefits Program. There were three public workshops and one tribal member workshop. Those workshops have finished and materials like the videos and presentations can be found on the website. She wanted to remind folks that the Department will use the input provided through the workshops, through the earlier interviews, and written comment received to develop the framework that will be included as an appendix to the Draft EIR.

Ms. Barbieri said the next step will be to take the community benefits framework, which is a concept and turn it into a finished, finalized program. The immediate next step is to address the need for more information for everyone. There needs to be one more tribal workshop to provide enough opportunity for thinking, discussion, and collaboration with tribes and tribal members. There is a plan for one more workshop of different case studies for different projects and community benefits programs. DWR is still working out how to do that, but believed it would be helpful to bring in people who have done such programs and have experience in creating them, as well as developing presentations and answering questions. DWR hopes to conduct this in the fall. They expect to do an informal query with folks like interviews, discussions, and meetings to look for recommendations on how to turn the framework into a program. There will have to be some level of outreach engagement to do that. Some examples to gather input could be continued small group briefings, community meetings, or the organization of a group of some sort.

In terms of objectives of the outreach and engagement, the idea is to build a consensus. DWR knows to be true that a community benefits program needs to be driven by the community, so building consensus for the details of the program is important. Some of the questions needed to be answered are how should that Delta fund be set up? Who should administer such funds? How should the Delta fund project be prioritized? What specific economic development commitments should DWR and participating water agencies make regarding local business preferences, targeted hiring, and dual-purpose infrastructure? What does the implementation plan look like?

Ms. Barbieri said these were the steps for education and information starting now for outreach to start to build consensus, which would be approved sometime before the Draft EIR, as a frame for reference. DWR would want to find a way to memorialize the consensus that can come in different forms and shapes. That would be at some point after project approval. Then, there is implementation of the community benefits program concurrent to the start of project implementation. She reminded that engagement does not imply project support and DWR is clear in that aspect about the concern from folks. Secondly, implementation would only happen if there is an approved project. They are not independent to each other in that regard.

Ms. Barbieri said that DWR is planning to conduct informational webinars. An e-blast was sent out in the last few weeks about them. There are four informational webinars that will include background information about the Draft EIR being prepared. This is not a requirement for CEQA, but it is intended to be helpful and provide information as a lead up when the Draft EIR will come out next year. It will include presentations from technical staff about approach, methodologies, and assumptions used to conduct important analyses. There are four workshops; on July 14, 2021, will be Operations of the State Water Project and Delta Conveyance; August 3rd, 2021, is on fisheries; August 25th 2021 is on climate change;

September 16th is on environmental justice. The flyer is being posted at post offices, libraries, etc. and it is available on the website in both English and Spanish that provides the information of each webinar.

Ms. Swenson asked if there will be a summary of the data collected from the landowners in Hood from the Community Meeting and if the SEC would be able to see that.

Ms. Parvizi said on the note of privacy, DCA made a point to say the meeting was not being recorded. Showing up does not mean someone agrees with the proposed project but people should be informed. The team generally tries to be transparent. There are sometimes when people do not want others to know they are at these meetings. There are internal politics. She will discuss with the team and get back to them on that.

Ms. Swenson said what she was specifically asking for is a marshy area that was unidentified prior to that. She wants to ensure that there is follow-up after outreach.

Mr. Gloski asked if regarding community benefits, can the project itself give back benefits. For South Delta Water users, if there is an issue with the levee where the salt water intrudes, and the time salt water is there is able to be reduced, it is a benefit. Water clarity and quality at Discovery Bay can be a benefit. Are there less monetary benefits and more environmental benefits somewhere?

Ms. Buckman said many things are included in a category called Implementations and Commitments. The idea is that there may be multiple benefits associated with installment of this project. This comes up more related to the internet and how to connect communities to provide alternate benefits. The things Mr. Gloski mention fall under that category where determining if there are ways that other facilities can provide other benefits fits into that discussion.

Mr. Gloski said it was a community benefit and it should be there.

Mr. Moran asked if it had it been decided that there is a Delta Fund and is that its name.

Ms. Barbieri said none of it was official but they wanted to acknowledge if there was a fund it would be there, and it could be named something else.

Mr. Moran said giving it a proper name seemed like it was decided, so keep that in mind.

Mr. Hsia said he has always advocated for raising the protection levels of the levees in the Delta. He wanted to confirm that this item will either be implemented into the Community Benefits Program or a precondition of building the tunnel. He wanted to put that into the record.

Ms. Barbieri said that was one of the categories of project types based on the feedback for the fund during workshops and interview.

Mr. Hsia said even the ring levee is 100-yr protection level and many others in the Delta were not at that level.

Ms. Buckman wanted to clarify that can be included in the fund and to work with communities to refine what could be in the fund.

Ms. Barrigan-Parrilla said the idea of levee protection is good for community benefits. Can extended funds for HABS mitigation and HABS testing/tracking also be added? Waterboards are not accurately funded to get the job done. Regulating around that should be a part of water rights conditions that is separate from a community benefits program. There needs to be a commitment to mitigation, tracking, and testing. Groups should be set up to do that and localize it. It needs to be ensured that water quality is protected with EPA certification. Community benefits should protect the 76 small water drinking systems in the Delta. What will water quality be like for certain communities? The focus should be more in that direction than buildings and such, as well as the flood threat. The smaller meetings like Hood, is this part of the scoping process with the EIR?

Ms. Barbieri said it was not an official requirement of CEQA, and if she meant it was going in the bucket as in providing information, then yes.

Ms. Moreno said there are some things like the levees and the drinking water that shouldn't be a part of the community benefits but that should be mandatory as the tunnel gets built. If it is a part of community benefits, it makes it seem like they are things that could be taken away if funding runs out.

Ms. Buckman said in the EIR, effects of the proposed project and the alternatives will be assessed. If there are significant effects, DWR must identify mitigation measures and then implement them as a basis of part of the project. There may be cases where if there is an existing problem, the project would not be affecting that problem so DWR would not be proposing to fix it. An example are different areas of levees that maybe are not as advanced as people would like; if there is not construction in that area then there is not a project component that they are affecting. It would not be a project effect or a mitigation measure, but it could be included in the Community Benefits Program. This is where CEQA is pretty specific on how to analyze impact and mitigations. The team is really just looking at the types of environmental impacts caused by the project and mitigation is focused on those effects.

Ms. Moreno asked if they do not anticipate something, but an incident happens at a later time, would something be done to fix that.

Ms. Buckman said yes, the main objective in the EIR is to do the best to identify, disclose, and mitigate effects. There may be concerns that some things were missed which would be possible, but that is why they are talking about the Community Benefits Program.

Mr. Bradner said the Ombudsman Program would potentially be assigning a point of contact familiar with the community and the project to any issues that might develop. Their sole responsibility is to be responsive and facilitate solutions.

5d. Public Comment on Item 5

There were no public comments.

6. FUTURE AGENDA ITEMS & NEXT MEETING

Chair Palmer said looking forward, the items on the slide note what the DCA is planning for the next meeting on September 22nd. As indicated in the past, a meeting can be skipped out of respect for the SEC's time. There will not be a meeting during the summer since many have much going on. For September and beyond, members are urged to consider topics for future agenda items. Anticipated agenda items are Community Benefits framework, engineering updates, and subsurface investigation updates. Discussed during this meeting were some of the design changes that committee members wanted to see elucidated.

7. NON-AGENDIZED SEC QUESTIONS OR COMMENTS

This is the time and place for SEC members to address the Committee on matters that are within the Committee's jurisdiction but that are not on the agenda.

Ms. Swenson said she felt obligated to bring up this issue due to the recent curtailment notices that farmers have received because of the severe drought. She said that she opposes this proposed project and focus should be redirected towards technology and new ideas. Existing infrastructure should be fixed before more is built. Focus should be on the fact that the Aqueduct is receding and losing 30 percent of water the flows that could be put to good use by farmers. She wants to make sure to say this every meeting, to make sure this proposed project is a valuable proposition, and to highlight what other options there are to fix the issues in the Delta with more community benefits to protect the treasure the Delta is.

Mr. Hsia said regarding the South Delta Connection, connecting the DCA to the federal facility seems like an afterthought. Why was it not considered beforehand?

Mr. Bradner said it was included at the time that the SEC started but more time was spent talking about the 6000 cfs configuration of the project. The SEC has not spent much time talking about the 7500 cfs configuration.

Ms. Barrigan-Parrilla said when testimony was given in 2016 for WaterFix, they raised the issues of evaporation in the Sierras and parched lands soaking up run-off at extremely rapid rates. How can this process be justified if this drought continues as long as predictions said it will? She fears time and resources will be wasted in the state institutions and public water districts, when on the ground challenges can get worse in the next year or two. She added that is easy to pop in if meetings are less frequent, but unless there are serious discussions about operations, the realities of climate change, and drought, she does not have much more faith in the collaborative process at that point. She hopes to see changes in immediate operations, but as DWR produces the EIR, real questions must be answered.

Ms. Buckman said this was not a check the boxes exercise or process for the team and it is important to them. It is why they put so much effort into this process. The most important part of her job is to speak at these meetings. This process is not meant to check the boxes. There are so many efforts going on it is difficult to keep up with them and see what issue fits into which process. The team is very concerned, and they take it seriously but solving that problem is outside the scope of this project, which she understands is a frustrating answer. That said, the team is working in the technical workshops in the next steps trying to talk about climate

change, how they think it could be functioning in the future, and how they are taking it into account in analysis in one of the technological workshops coming up in August. DWR is continuing to figure out how to incorporate that and how to think about it in terms of the future. She thanked Ms. Barrigan-Parrilla for her participation and said they took her input very seriously.

Ms. Barrigan-Parrilla said she wanted to make it clear that there was nothing personal with any of the team. For her, it is a switch in an institution guise, and is not just one person. She was concerned that California is coming up on a hard reckoning.

Chair Palmer said Ms. Barrigan-Parrilla's thoughtful comments are truly valued.

Mr. Moran said these presentations over zoom are remarkable and he is astounded at the information that can be seen. The graphics provided and the commentary heard over the last 15 months have been great. Right before COVID hit, discussions had been made about bus tours, site visits and such. If that is something that could be considered, it is something he is interested in. Ms. Parvizi and the rest of the team put much effort into the driving tours and they were good. It would be great to have the DCA and the SEC at the same time to get the valuable information on site that could turn his abstractions into reality based upon where decisions can be made.

Ms. Parvizi said it is great feedback and they DCA could survey folks to check comfort levels. The sign has flipped open, and some are ready to go through the door, others are not. The driving tours are a great idea. Last time they were conducted, it was caravanned. Similar to the virtual tours online, it would be hard to do it in one day but could be and broken up and see if folks would like to come along.

Ms. Martinez said there was an intake field trip that many were not able to attend. It could be something to revisit especially considering that with more information presented, people have expressed more interest.

Ms. Parvizi said they would want to get everyone on a bus because it is difficult to stop. It is easier to drive along the road and speak. They can consider doing it in caravan and walkie talkies. It had been done before and if folks are comfortable, a small bus can be rented.

Mr. Hsia said last time they went over to tunnel work in Santa Clara County. He was escorted by three staff members of the DCA and enjoyed the attentive experience.

Ms. Parvizi said it might be possible to revisit that site in the fall if folks are interested in visiting the tunnel. The DCA would be happy to reach out again. It is a small operation, a 13-ft in diameter tunnel but would still be helpful to see.

Mr. Hsia said it was insightful tour and opened his eyes in all senses.

Dr. Lytle said he loved joining the virtual meetings, but he misses the in-person ones even more. Hopefully by September DCA would be able to orchestrate additional meetings in person. He thought the early impact of meeting in the Delta and truly understanding where

they are at and what is going on was very helpful to everyone. It kept the mind in the right place.

Dr. Lytle said that the locals in the Delta are intently interreacting in relaying their concerns with this project. In his opinion, the California drought did not end in 2017. This is a perpetuation that began in 2010. The Colorado is still under the same drought conditions since 2010. The City of Stockton has become frustrated and continues to have issues with HABS. Stockton is looking at a record impact year regarding HABS. He met with the Regional Water Board about it but they are very limited in funding developing programs that can help locals help manage these types of issues. There has been no program or no long-term effort. Stockton is concerned about water supply. They are trying to manage the groundwater basin and work hard on that. At the same time, the State Water Board had challenged the Delta Water Right application. They have felt like they have been getting pinched in multiple areas. It jeopardizes Stockton's interest in wanting to work collaboratively on these types of things.

Ms. Keegan said she has brought it up. She acknowledged they are important priorities for Stockton and thanked Dr. Lytle for going over them.

Ms. Branham said the current Executive Order on June 15th said there is a grace period for the Brown Act modifications that were in place during COVID to phase out. By September 30th, all public agencies, including the DCA will be expected to go back to pre-existing Brown Act models. Teleconferencing can still be conducted but require special noticing and such. In terms of wanting to get together in person, that is a policy call at this point. There are no longer restrictions locally or statewide. If that were something people would want to organize, that is possible, and people can choose depending on their risk level if they would like to attend or not. There is no reason there cannot be a public, open event for anyone who wants to come.

Ms. Martinez said there are still a lot of changes happening and September is a ways away. She said to revisit that discussion closer to September.

Chair Palmer agreed to push the conversation closer to September because they need to see what happens in the coming months regarding COVID, as there might be other guidelines come up. They could potentially know within the next month.

Mr. Bradner said they all definitely benefit from being together at a location in the Delta to keep everyone focused. They would have to wait and gauge comfort levels. He said they need to see how everything progresses to ensure they can have safe meetings.

Vice Chair Keegan thanked everyone for their authenticity in the meeting. She thought it was important to hear these things from the community members. She added there is value to having meetings in the Delta because having face-to-face-meetings creates connection. It also allowed people who are not in the Delta on a day-to-day basis to get the opportunity to get reminded again about the environment and what is being talked about. She thanked everyone and acknowledged the process will be slow before in-person meetings are possible. The team wants to protect everyone's health and safety. She added that she continues to be impressed by the staff and the SEC members.

8. PUBLIC COMMENT ON NON-AGENDIZED ITEMS

This is the time and place for members of the public to address the Committee on matters that are within the Committee’s jurisdiction but that are not on the agenda. Speakers are limited to three minutes each; however, the Chair may limit this time when reasonable based on the circumstances. To provide public comment, complete the online public comment form at <https://tinyurl.com/dcapubliccomment-SEC> by 4:00 pm with their name, phone number or other identifier. As these items have not been agendaized, the Committee is not legally able to discuss these items at this meeting unless a recognized exception applies.

Ms. Meserve said she agreed with what Ms. Barrigan-Parilla and Dr. Lytle said about the capacity of the state to focus on solutions and the way the tunnel project takes away from that capacity. She understood Ms. Buckman’s point that this project is not trying to solve all issues but being somebody that has spent 10+ years talking about a tunnel or something like it, Ms. Meserve wished she would have spoken on other resolutions to address water supply, reliability and sustainability in ways that do not impact the way they have discussed in these meetings. It really is a larger policy issue that everyone is responsible for and should move towards other solutions. This year has shown the diversions at the top of the Delta is not going to resolve these issues. She added there needs to be a larger portfolio watershed-based approach to get a better future for California. The tunnels in the Delta are not going to get California there. The format was discussed at the beginning of the meeting, and although she understands the Brown Act requirements, there may be an opportunity for the SEC to advocate alongside other organizations and public agencies for a hybrid accommodation. An in-person meeting does have benefits, but she encouraged the Executive Director and others to look for ways to maintain the remote element because there are benefits.

9. ADJOURNMENT

Chair Palmer adjourned at 5:13 P.M.