

## STAKEHOLDER ENGAGEMENT COMMITTEE

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# MINUTES

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REGULAR MEETING

**Wednesday, September 22<sup>nd</sup>, 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-08-21 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 Anna Swenson, Barbara Barrigan-Parrilla, Cecille Giacomini, Douglas Hsia, Gia Moreno, James Cox, Lindsey Liebig, Karen Mann, Peter Robertson, David Gloski, Dr. Mel Lytle, Vice Chairwoman Malissa Tayaba, Mike Hardesty, and tribal representative alternate Chairman Jesus Tarango. Ex-officio members Gilbert Cosio and Michael Moran were also in attendance.

Members Isabella Gonzalez-Potter, David Welch, and Philip Merlo 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 Valerie Martinez,

Joshua Nelson, Graham Bradner, Nazli Parvizi, Claudia Rodriguez, Jasmine Bloom, Carrie Buckman, Janet Barbieri, Julie Spezia, Laura Yoon, and Edward Carr.

Ms. 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.

Ms. 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.

Ms. Palmer reviewed housekeeping items. Members of the public can request to speak during the public comment period by emailing [publiccomment@dcdca.org](mailto: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 meeting, by Meeting Facilitator Valerie Martinez.

Ms. Palmer noted that this meeting pertains to engineering topics only and discussion can only contain topics in the DCA's purview.

### **3. MINUTES REVIEW: June 23, 2021 Regular SEC Meeting Presentation**

Ms. Swenson said in item 7, it was not a correct depiction of her statement. She will send her corrections to Ms. Bloom.

### **4. Item 4 UPDATES AND COMMITTEE DISCUSSION**

#### **4a. DCA Review and Updates**

Mr. Bradner said he wanted to acknowledge that they have received SEC member Angelica Whaley's resignation from the SEC. He expressed DCA's appreciation for her participation. DCA's last Board Meeting on September 16<sup>th</sup> included a couple of items that Mr. Bradner wanted to share with the group. First, there was another installment of DCA's senior staff spotlight where DCA Environmental Liaison, Karen Askland, was asked to share her background

and work experience. It went well and it is nice to show someone with a large broad breadth of experience and capability who is from a younger generation than some of the team. The Board appreciates the senior staff spotlights and was happy to have an opportunity to highlight some of the excellent folks working on the program.

Mr. Bradner said the next item was that Ms. Parvizi and Ms. Spezia provided an update of ongoing DCA outreach efforts. Mrs. Parvizi will give a comprehensive summary later in the meeting. The outreach presentation to the Board included the availability of virtual tours videos translated into Spanish and Chinese, distribution of engineering materials to local libraries throughout the Delta, and a series of community engineering briefings with folks close to/neighborhood the conceptual project footprint. The small group meetings were affective, and the DCA team appreciated the opportunity to talk with folks.

Lastly, Mr. Gloski presented to the Board. He shared his thoughts and ideas how the proposed Delta Conveyance Project can be modified to include discharge points and surface waterbodies along realignment. Mr. Gloski had similar comments in the June SEC meeting.

Chair Palmer said that they did discuss the number of libraries and locations where information will be. The SEC would hear more about that in the future so that everyone in the greater Delta region around can have access to information regardless of their broadband issues.

#### **4b. DWR CEQA Status Update**

Ms. Buckman provided a CEQA status update from DWR. DWR is currently working on the technical analysis and impact analysis of the proposed project. The technical analysis feeds into the DWR's ability to analyze the effects of the different alternatives. Based on that impact analysis, DWR will work to identify mitigation measures to avoid or reduce those effects. This is all moving towards the Draft EIR coming in mid-2022. The impact analysis is the main focus. Later in the meeting there will be discussion on some of the in-progress work DWR is doing with air quality and how that connects to the DCA's work, and the conceptual designs the SEC has become familiar with.

Ms. Buckman said as mentioned for CEQA they are working on technical studies and impact analysis. As for National Environmental Protection Act (NEPA), the United States Army Corp. of Engineers (ACE) is the lead agency for NEPA. They are working to develop an Environmental Impact Statement (EIS). It will be a separate document from what DWR is working on the CEQA side. The DWR is working on having the Environmental Impact Report (EIR) available for public review during an overlapping period of with the public review for the EIS.

For the soil investigation, field work is being conducted under the Initial Study in Mitigated Negative Declarations. That field work took a break in July and August. It resumed this week and there is a two week look ahead available on the website that shows a map for the next two weeks. The look ahead calendar is updated every week.

#### **4c. SEC Questions or Comments on June 23rd Meeting Presentation**

Ms. Martinez said this is the moment where there is time to clarify concepts or thoughts from the last SEC meeting in June. Some things discussed were some design changes such as the South Delta connection, the realignment of the ring levee at Twin Cities complex, and the changes to the Southern Forebay footprint. Staff also talked about ongoing outreach efforts, which will again be addressed later in the meeting. There was also an update and discussion about community benefits programs. Ms. Martinez asked if there were any questions related to those topics.

There were no questions or comments.

#### **4d. Public Comment on Item 4**

Ms. Martinez gave a reminder to the public to submit a request to speak on agenda items by the 4 p.m. deadline.

There were no public comments on Item 4.

### **5. Item 5 PRESENTATIONS AND COMMITTEE DISCUSSION**

#### **5a. Air Quality Analysis Methods**

Mr. Bradner said recently in April and June, DCA had received feedback from the environmental review analysis that led to changes in the conceptual design. DCA later presented these changes to show how that feedback had been incorporated. DCA shifted haul roads to avoid alkali wetland impacts and removed some overhead power line corridors. The DCA has shown the SEC how these changes were implemented within the conceptual designs. The presentation is focused on environmental analysis but continued to show the interplay and interactive back and forth between the engineering environmental teams, more from an environmental perspective.

Mr. Bradner introduced Laura Yoon and Edward Carr, managing directors with ICF. ICF is a consultant to DWR assisting with completion of the environmental analysis for the EIR.

Ms. Yoon began her presentation on the preliminary air quality analysis for the Delta Conveyance Project starting off with a brief overview of the types of analysis that are covered by the CEQA Air Quality Review. This presentation focused on the mass emissions analysis and the localized ambient air quality analysis. ICF is still very early in the CEQA air quality analysis process. Ms. Yoon provided general information so that the SEC knows where the analysis is headed and some of the considerations that are being made for mitigation.

The Air Quality Analysis covers the entire spectrum of potential impacts resulting from construction and operation of the proposed project. The mass emissions analysis estimates the criteria pollutants and greenhouse gases during construction, as well as from the operational components of the project once it is fully constructed. Criteria pollutants are those that are regulated by United States Environmental Protection Agency (USEPA), the California Air Resources Board (CARB), and local air quality management districts throughout California. The results are expressed in terms of emissions rates for a specific geographic area, for example, pounds of particulate matter generated per day in the Sacramento Valley Air Basin. These

emissions are compared to local air district thresholds to evaluate whether the emissions could contribute to regional degradation of air quality. The ambient air quality analysis looks at potential changes in local air quality resulting from project construction. The analysis measures pollutant concentrations or volumes along the fence line of construction. The results are expressed in terms of micrograms of a pollutant per cubic meter of air that is breathed and are compared to the federal and state ambient air quality standards.

The human health risk assessment connects the dots between the emissions that are generated during project construction and the potential human health consequences from exposure to those emissions. CEQA analysis includes a cancer and non-cancer risk assessment for receptors located near the construction footprint. It also evaluates potential changes in various community health endpoints from exposure to criteria pollutant emissions. These two analyses are still in progress, so they will not be discussed during the presentation.

The air quality review also looked at potential impacts of valley fever, asbestos, lead based paint, and odors. These analyses are less driven by engineering details and are not really influenced by technical modeling.

Ms. Yoon presented the stepwise process for the mass emissions and ambient air quality analyses. At the foundation are the conceptual designs and schedules that were prepared for the engineering plans. DCA used this information to develop very detailed inputs to support emissions modifications. These inputs include things like material quantities, equipment inventory, vehicle trip inventory, and electricity consumption estimates. Based on these inputs, ICF prepared initial air quality modeling runs, which allowed them to identify key impact mechanisms and emissions drivers. From that, they were able to work very closely with the DCA to re-evaluate the associated inputs to ensure that they were as refined and reflective of the project as possible. Based on those revised inputs, ICF has completed an additional air quality run which gave preliminary results for the discussion.

The emissions inventory accounts for all emissions generating processes and activities associated with construction and operation of the project. The table from the presentation identified these sources and processes that are quantitatively evaluated in the emissions inventory. The modeling followed standard practices and procedures accepted and recommended by the USEPA, CARB, and all air quality management districts in the study area. Three of the primary emissions tools used for the mass emissions inventories are the California emissions estimator model, EMFAC or CT-EMFAC, and the USEPA's AP-42 guidebook. The mass emissions analysis accounts for all environmental commitments that are being made by DWR to minimize air quality impacts. The ambient air quality analysis was performed using the results of the mass emissions inventory, and it uses USEPA's AERMOD dispersion tool. AERMOD is the recommended dispersion modeling tool in all of the districts in the study area, as well as the USEPA.

Ms. Yoon presented a high-level summary of the geographic and temporal distribution of two key pollutants- nitrogen oxides (or NOx) and particulate matter (or PM). All the graphics were reflective of the 6000 cfs central conveyance alignment alternative. The pie charts from the presentation showed the total estimated construction, NOx, and PM emissions among the three air basins in which construction activity would occur. As expected, total NOx emissions,

which are a product of vehicle and equipment fuel combustion, are greatest in the Sacramento Valley Air Basin, which is where construction of the intakes and the Twin Cities shaft is located.

In contrast, most particulate matter is expected in the San Francisco Valley Air Basin portion of the project, which is in Eastern Contra Costa County. PM is generated by fuel combustion, but the majority of particulate matter associated with project construction is in the form of dust from earthmoving and stockpiling activities at the Southern Forebay.

Temporal distribution of NO<sub>x</sub> and PM over the duration of project construction was shown in the presentation. NO<sub>x</sub> emissions track temporally with the greatest amount of concurrent equipment and vehicle use, which is expected between the fifth and ninth years of construction. PM emissions, which are heavily influenced by earthmoving activities, increase annually over construction until about the tenth year. This increase is primarily associated with growth of stockpiles as material is added to them over the duration of construction. Once the piles are no longer needed, the emissions cease with the covering and decommissioning of the piles.

The relative magnitude of NO<sub>x</sub> and PM emissions for project construction is consistent with larger regional emissions trends for these pollutants. The presentation focused on NO<sub>x</sub> and particulate matter because these are the two pollutants in which the preliminary air quality analysis indicated emissions levels above regional air district thresholds. Following construction, operational activities are not predicted to generate criteria pollutants in excess of any local air quality management district thresholds.

Ms. Yoon said greenhouse gas emissions from long-term maintenance and operational activities under the State Water Project are covered by DWR's Climate Action Plan (CAP). The CAP reflects DWR's commitment to reducing their long-term greenhouse gas emissions consistent with the state climate change goal of achieving carbon neutrality by 2045. Remaining project emission sources not covered by the CAP are construction, including land use, change and operational activities under the Central Valley Project (CVP). The chart in the presentation showed the total estimated greenhouse gas emissions from these sources for the 6000 cfs Central Conveyance Alignment option. It is important to note that because contributions from land use change and operational activities under the CVP are ongoing, the contributions from these sources shown in a pie chart are over a 30-year operational analysis period. These sources contribute a little less than half of the total estimated greenhouse gas emissions, with emissions from equipment and vehicles, construction electricity, and fugitive sources accounting for the remainder.

Ms. Yoon said mass emissions inventory accounts for all on site environmental controls to minimize air quality impacts to the greatest extent feasible. These controls were identified early in the engineering process and in some cases expanded upon as part of that preliminary air quality analysis in coordination with DWR and the DCA. The environmental commitments include best available control technologies for off road equipment, marine, on-site locomotive engines, and use of newer model year haul trucks. DWR will also be implementing a robust fugitive dust control plan that includes watering exposed soils, applying dust suppressants, stabilizing stockpiles with bi/biopolymers, and a number of other strategies. As a DWR project, DWR would also be implementing best management practices to minimize construction related greenhouse gases.

Based on the preliminary results of the air quality analysis, DWR is considering a partnership with local air quality management districts to reduce construction generated NOx and particulate matter to levels below regional thresholds. All air districts in the study area operate and oversee incentive programs for regional pollutants. Some of these programs have operated successfully for decades and are frequently leveraged as CEQA mitigation for regional air quality impacts. DWR has already begun the consultation process with all air districts in the study area.

Based on the preliminary greenhouse gas analysis, DWR is considering a greenhouse gas mitigation program to reduce construction and operational CVP emissions to net zero. The plan requires early investment in greenhouse gas reduction efforts prior to construction, as well as continual monitoring and greenhouse gas reduction activities during construction and over the operational life of the project. DWR may pursue various combinations of strategies to optimize total costs and community co-benefits. These include on-site controls during construction, investments in community projects, and carbon credits. The presentation pivoted from the regional analysis to the preliminary results of the localized ambient air quality analysis.

Mr. Carr presented how ICF conducted the ambient air quality analysis to review the impacts of localized air pollutants. Relevant air quality standards included their short-term standards, which are less than 24 hours and the long-term standards, which are annual standards. The emissions were reviewed separately. The short-term standards used the short-term max daily emissions as input to air quality dispersion models. For the long-term standards, the analysis used annual emissions. The highest emissions in the analysis were used to see what the impacts would be in the worst case max daily emission and max yearly emissions. The air dispersion model (AERMOD), mentioned earlier, is used on an hour-by-hour basis for five years' worth of meteorological data. ICF captures the whole spectrum of meteorology over a five-year period and can identify how those figures compare to the air quality standards.

Mr. Carr presented the results from the model simulations. Carbon monoxide and sulfur dioxide emissions are well below the standards, so there were no exceedances from those pollutants. ICF saw one location where there was an exceedance of the one-hour standard and an annual standard for nitrogen dioxide. There are modeled exceedances of the particulate matter standards in most locations (but not all) during construction of the project alternatives. Concentrations for annual PM10 and daily PM10 have similar characteristics, but there are fewer locations showing exceedances of the annual standard. Mr. Carr said annual PM2.5 concentrations were higher in the San Joaquin Valley than in the Bay Area. Air quality in Sacramento was within the standards for annual PM2.5.

Mr. Carr emphasized that ICF modeled concentrations on the fence line of the project where the public could potentially have access right up against the fence line. The fence line is where receptors were placed to evaluate the concentration. Those concentrations will fall off rapidly with distance away from the fence line, as those sources are at or near ground level from the project activities.

DWR is developing a tiered approach for looking at how they might further refine work or gather site specific information to refine the concentration modeling. First, there is collecting on-site silt loading measurements. Silt loading is the content of the silt in the soil. ICF used fairly

conservative numbers in estimating what the silt content is, and it varies a lot from location to location. DWR can also look at collecting additional meteorological data to pair with the on-site silt data. This would provide for a more accurate and refined assessment of what the air quality impact could potentially be, rather showing conservative maximums.

Another level of analysis or mitigation would be to conduct real time air quality monitoring during construction and then set a threshold value where some possible actions could be taken if it starts approaching the air quality standards. Immediate corrective action can then be taken by reducing the construction activity during the adverse period, driven primarily by meteorology.

Mr. Carr said ICF worked with the design engineers to better understand and refine the modeling assumptions for the analysis. In reviewing preliminary modeling, it was realized that near one of the intakes, there were very high PM concentrations just offsite of the construction area. The team had assumed in the initial air quality modeling that the emissions activity within that footprint of the intake construction area were uniform. After review and discussion with design engineers, they realized that was not the case and needed to better refine where the emissions occur. Some areas are higher, and some are lower. The emissions were much lower where the equipment was just being housed or moved, or temporarily parked there. ICF will use that information to refine the spatial distribution of the emissions and rerun the model. The team has taken some of that same approach for other focus areas and are looking at making similar kinds of analysis improvements to the modeling to better characterize the concentrations and the potential impacts.

Mr. Gloski said earlier in the presentation there was a graph of the air emissions. He said it was somewhat done in relative terms and asked to get some information on what the actual numbers are for the Y-axis.

Ms. Yoon said the information is presented in relative terms to show the relationship between the two pollutants and the relative magnitude over time. These analyses are still in progress and preliminary at this time.

Mr. Gloski said it would be great to get those numbers, but it might also be helpful for people to have examples of other types of typical manufacturing plants like a power plant to provide a gauge of what it looks like so people can know what to expect.

Ms. Buckman said it was a good suggestion to think about for the EIR. Just for reference, everything is still in review and will not be available to share prior to the Draft. The team is trying to get these numbers to a point where they are more developed before they are able to share actual numbers.

Mr. Gloski said a dispersion model was mentioned and some average winds. He asked if DWR looked at maximum winds versus lower winds and if an average was taken. How far down the fence line was analysis done and did DWR look at the peaks, beyond the averages?

Mr. Carr said the model uses hourly average winds; all of the winds in historical data over the past five years. There is high wind speed on average and then low wind speeds. Usually, the worst-case concentration is during low wind speeds because there is no mixing, resulting in



high concentration. In regard to the fence line, they were chosen because that is where the highest concentration is. The sources are close to the ground and once emissions are mixed with the air they will disperse but will not rise higher, so the highest concentration is the fence line. There is a decrease with distance but the team looked specifically at how rapidly it would decrease from the project fence lines. Wherever activity is taking place is where receptors are located.

Mr. Gloski said a lot of the health things are based on concentrations as Mr. Carr mentioned. He is unsure if there is a way to give people metrics on levels of dust or if that was analyzed but it would be good for people to understand.

Ms. Swenson said this is one of the most important presentations that has been done. As someone who knows and lives downwind of a levee, the analysis is probably not correct. The winds in the Delta are changing per area, intensity, and how they move. There are outside factors DWR calls “background” but Ms. Swenson had not heard anything about the ongoing agricultural activity that will still happen behind the scenes in the Delta with air quality issues. The emissions shown displays exceedance, but that exceedance affects the children and seniors that live in the Delta. She did not hear about the cumulative effects which are being ignored. The presentation mentioned polymers, which is scary, and they should not be applied. The biggest issue currently is wildfires which can cause more issues with air quality from the rapidly expanding issue with California wildfires. She said this project is creating exceedances and problematic readings with added wildfires. She is worried about using adaptive management to try to avoid these issues and it will not be a solution for the benefit of the people who live there. Measures should be taken to make sure the project is not poisoning the air in the Delta. Why do the people who live there need to exceed allowances for that to be a consideration? It is a nightmare for air quality. The taxpayers are paying for something that does not seem thought out and would create poor air quality. She said to not deemphasize mentioned exceedances; it is important to the people who are living there. Those exceedances are not minor to the Delta community.

Ms. Buckman said that those exceedances are also of concern to the team. Having the technical experts means the conversation is at a technical level. Ms. Buckman reassured Ms. Swenson they are working to get the emissions below threshold. It is something the team will continue to work on throughout the EIR process.

Ms. Yoon said incorporating the unique air quality in the Delta, cumulative background concentration and all other emissions in the Delta are taken into account for their analysis. Localized air quality results have been recorded and gathered by taking background concentrations that have been recorded over the past 3-5 years at local monitoring locations adjacent or near the project area within the Delta. Those measured pollutant concentrations are added to the project emissions, then compared to the ambient conditions and background cumulative conditions. It is accounting for those hourly wind activities.

Ms. Swenson asked if the SEC can get a list of the stations that are currently being used for the data to show where it is coming from. Ms. Yoon said that information will be part of the EIR.

Ms. Barrigan-Parrilla said the idea that only looking at analysis around the project site is not acceptable. She asked the team to look at what the PM2.5 numbers have been. There have

been fires around the Delta and further up north. Stockton has the fourth highest rate of asthma exceeding PM2.5 almost every day. There must be adequate analysis done of emissions along Hwy-4, the Forebay and San Joaquin County. It is understandable to bring data to the SEC while still collecting data, but to bring a lack of information creates distrust.

Ms. Buckman said she was sorry to be a part of the frustration and is trying to provide information when they have it. As they work with SEC, the team provides the most up-to-date information.

Ms. Barrigan-Parrilla said AB 617 in Stockton is a failed process. They have been working with the leading polluter and are reporting lower numbers, which is the data being used by DWR. There is so much sensitivity surrounding the data and there must be transparency and real plans.

Ms. Buckman said the point of this discussion is to share and be transparent.

Ms. Barrigan-Parrilla said even if something is being shared partially, numbers are necessary. She asked to see where data is being collected from as it is being worked on, otherwise, it creates panic.

Ms. Buckman said they are not trying to avoid providing information, but they are trying to figure out exactly where to collect and find where effects are the largest.

Ms. Yoon said that the ambient air quality analysis is one of four being conducted for the environmental analysis. The ambient air quality analysis looks at fence line concentrations along the project footprint. The team is also looking at what will be the ambient change in regional pollutant concentrations and the associated community health risks. This analysis is still very much ongoing. Fence line is just one way to look at impacts. The EIR will be looking at all ways.

Mr. Hsia said Ms. Yoon referred to nitrogen oxide in her discussion and Mr. Carr referred to nitrogen dioxide. What is the difference?

Mr. Carr said the emissions come out as nitrogen oxide and nitrogen dioxide from the tail pipes. They are both referred to as NOx emissions. The pollutant of concern from a health impact is nitrogen dioxide. Nitric oxide in the air gets turned into nitrogen dioxide through the chemistry and oxidizing. About 10% of NOx emissions come out as nitrogen dioxide.

Mr. Moran asked in reference to meteorological data matched up with the timing of construction, where would data and boosting be seen during construction. He asked if it was that yearly or monthly and if it tied into the actual construction behavior.

Mr. Carr said historical meteorology data was used with modeling every hour. As far as the emissions, max daily emissions were picked from what was the highest of 365 days to do the short-term modeling. The same thing was done for the annual emissions with the highest year used.

Mr. Moran said when looking at these micro areas, Stockton is getting hit hard. Can the SEC receive graphics to show what Stockton will look like when we put this project together?

Ms. Moreno said having no numbers presented is scary, especially as a resident of Hood, as they are in between two intakes and are concerned about what wind could bring. She was slightly confused on how things were measured. She asked if outcomes would be different if all the days were used, instead of the highest and lowest. She thought the averages should maybe have been done differently. There may be no activity in the middle of January compared to the middle of July. It would be a concern if the information from 2020 was used since so many people were inside. She did not understand or receive answers about the numbers relating to what was going into the dirt. There should be more substantial data being presented. Although things change, it seems like the information requested is often getting passed off. This is where people live, where children go to school, etc. It would be much appreciated to receive information on numbers and location sites.

Ms. Swenson said she is concerned about using data from 2017 when climate change is accelerating and getting worse. It may not sound old, but it is. Is there an option for data of what the air quality would look like if they were not to do the project? A lot of projects in the Delta, despite best efforts, fail. DWR does not have a careful history in the Delta.

Ms. Yoon said in regards the no-project alternative, it will be done in CEQA analysis, and it will give a baseline to compare against project alternatives.

Ms. Barrigan-Parrilla said if the model is built, she suggests running numbers from last year to seven years, and every year it needs to be updated because every year it gets worse. She does not want to leave out 2018 data because of the fires up north and how they mixed with the fog. People had severe sickness from the inversion layer air quality. They are braking models. She knows there are issues with averaging water and DWR needs to be careful averaging air quality. The model needs to take into account extremes.

Ms. Yoon said 2017 to 2019 data was used, as that was the latest available at the time the analysis was conducted. The worst days are the conditions they were trying to evaluate, where the maximum peaks would occur. There will be many days during construction when those conditions and concentrations will be lower than what was presented.

Ms. Barrigan-Parrilla asked if Ms. Yoon had more recent data coming from the Air Pollution District and how long ago the analysis was prepared

Ms. Yoon said that at the time the analysis was conducted, that was the latest data and has been ongoing for a while.

Ms. Barrigan-Parrilla said she was trying to get an idea of when this was conducted. With further analysis, current data needs to be incorporated and she questioned if three years is sufficient. She favors if things are more current if the time is not extended.

## 5b. Ongoing Outreach Efforts

Ms. Parvizi said DCA has had the virtual tours out for a while, but now have Cantonese and Spanish versions available. She thanked those who helped provide those translations. There is a hyperlink to the virtual tours in the meeting presentation that was provided to SEC members and is posted online with the meeting materials. The Virtual Tours can also be found on [dcdca.org](http://dcdca.org).

Ms. Spezia has been working with librarians at 20 Delta libraries that will add the DWR/DCA informational materials to the catalog and on display. These are not just the eight libraries located in the defined Delta, but beyond as well to make sure folks coming from various counties have access to these materials. DCA staff has heard loud and clear there are issues with broadband, internet access, and download speeds. Informational materials have previously been provided to smaller Delta libraries, but staff wanted to expand the effort and make sure the libraries have updated map books, flash drives with videos, and print materials from DWR and DCA for reference. Ms. Spezia is working with the librarians to train library staff on the materials and how to find things so that if anyone visits the library, they can easily access materials with help from the librarians if needed.

Ms. Parvizi said that the SEC has been helpful to point out specific people or communities that could use more information. Ms. Parvizi said DCA staff has also had engineering briefings with various communities to discuss community issues pertaining to facility siting. The briefings are an opportunity for nearby neighbors of the proposed conceptual footprint to receive information from engineering and design teams, usually Mr. Bradner, Mr. Ryan, and other experts depending on the specific conversation. These are small meetings with as few as five and as many as 15, but fairly small for folks in neighboring communities around proposed facility siting. It is a good opportunity to share up-to-date and accurate information while getting community feedback. In the last couple months, DCA has met with Hood near the Twin Cities Complex. They have also met with The Nature Conservancy as landowners near the Twin Cities Complex and other locations. Ms. Parvizi said they are happy to do more of these briefings and they can be done in-person or virtually. In-person of course would follow protocols around social distancing and safety. The team urges SEC members who have recommended these folks and neighborhoods, or anyone else listening in to contact the DCA to arrange a briefing. It is important for folks to have accurate information on the current proposed project as is.

Ms. Barbieri said that DWR has just concluded four informational webinars that included information on operations of the State Water Project and Delta Conveyance, fisheries, climate change, and environmental justice. If folks did not have a chance to participate, the DWR Proposed Delta Conveyance Project website has a link to the PowerPoint used, and the video from the Zoom webinar. The FAQs from those meetings will also be posted.

Ms. Barbieri provided a brief update on community benefits. DWR is continuing to do some work in developing a workshop that they are calling a Community Benefits Case Study Workshop. The hope is to have representatives from other projects who have done case studies and to give a presentation and be available for Q&A to get a sense of what other projects have done regarding community benefits. Thus far, DWR has conducted three general workshops on community benefits. Additionally, there was one tribal focused workshop and DWR will be conducting another tribal workshop. The registration for this is through Eventbrite

and closes September 22<sup>nd</sup>, 2021. If anyone wants to participate but did not catch that deadline, please send an email to the team to be added directly to the registration list.

Ms. Martinez reminded the group that if folks know of a community organization or an area near one of the complexes or intakes of the proposed project and are interested in hearing more about the project to contact Ms. Parvizi so that the DCA can arrange for an engineering briefing. Ms. Martinez said the SEC is made of up key stakeholders throughout the Delta with nuanced information about Delta as place. If SEC members know of someone or an organization needing more information, that is part of this key partnership. It's important to the team to ensure people are aware and know what the project is, what it is not, and how stakeholder can access more information.

Ms. Parvizi said to contact DCA by emailing [info@dcda.org](mailto:info@dcda.org) or by emailing [nazili.parvizi@dcda.org](mailto:nazili.parvizi@dcda.org).

Ms. Barbieri also provided her email: [deltaconveyance@water.ca.gov](mailto:deltaconveyance@water.ca.gov).

Ms. Swenson said she recently visited the Clarksburg Library and the librarian informed her that the DCA had updated materials available. She said there is not adequate effort to notify patrons that the materials are available at the libraries. DCA has a legal obligation to have these materials at the library but has not put a flyer up or sent out notification. There should be flyers, notifications, and notices in post offices that say DCA materials can be accessed at the libraries.

Mr. Nelson addressed Ms. Swenson's comment regarding legal obligations and materials. The DCA does not have a have a legal obligation to post materials at the library, but the coordination with Delta-area libraries is something the DCA is doing because it is important to get information to local stakeholders.

Ms. Spezia said she worked with the State Librarian, who introduced her to all the county librarian managers. She worked with the County Librarian on the list of the library branches that were the most appropriate and would be able to handle having the responsibility of doing the reference desk because some of the libraries are collocated within small schools, like in Franklin. Ultimately, a list of 20 libraries was generated. DCA staff provided materials through the county library managers so the materials would be cataloged, put online with links, and physical materials available in the libraries. One of the County Librarians asked for two weeks before the DCA advertised the availability of materials because that is how long it would take to get that county's five libraries up and ready. Tomorrow marks the two-week period, and DCA staff will be posting the information on the website tomorrow, in consideration of the librarians. Additionally, DCA will be posting on social media and there will be a flyer that can be downloaded. DCA staff has these efforts planned but wanted to give the librarians a chance to catalog everything and prepare the materials within their libraries first. DCA staff will help DWR get all the EIR materials once they become available. Librarians also requested technical training. The Sacramento County Library staff were the first to request this and are going through Beta testing. If that training effort goes well, DCA will train other librarians via Zoom. The training entails showing the librarians what the materials are so they can point people in the right direction of information. DCA staff has been trying their utmost so that everyone has the information.

Ms. Moreno said she and Ms. Swenson have been doing outreach putting out flyers. Most people are unaware of the current iteration of the project or how to access information. They have talked about it a bunch and brought it up before Ms. Moreno even became part of the SEC. Doing things during the pandemic was not beneficial to the project or to having people's voices be heard. Accessing information is really hard, especially for those who are older or have vision problems. No one was going to the library because it was closed and people were afraid to go to meetings. Ms. Moreno said now things are starting to ease up but there was a lack of outreach, though she appreciated the meetings that were done in Hood and those worked out well. There was a whole year and a half where planning was actively occurring and no one could say anything about it if they were not tech savvy or had access to the internet. The whole process should be done again so they can gain input from the people that live there and how it will affect them.

Ms. Martinez thanked Ms. Moreno for being a great partner in the past to ensure the Hood community was well-informed.

Ms. Parvizi said part of the role of SEC is to do outreach to communities, especially to those who do not know about the project or what is going on. There are pros and cons to either having the meetings in person and what that means in terms of access or online and what that means in terms of access. This is a partnership with the SEC, one that also requires outreach from the SEC. From a community perspective, that means attending meetings in-person and now virtually. Ms. Parvizi stressed there is still a large public process to come, that is the CEQA process. In that regard, there is still a lot of opportunity over the next few years to incorporate stakeholder input. DCA and DWR are making the effort to reach out to folks. From a SEC perspective, saying folks still do not know about the project is fine, but it is important to let the team know who these folks are so they can reach out to them. In respect to the library, DCA has always put the SEC materials in the libraries when they were open and have also put flyers up. The purpose of tonight's agenda item was to let the SEC know that DCA is starting this library program in coordination with State and County Librarians. In a couple weeks the information will be there in the 20 libraries, DCA will do the librarian training, and then staff will put up the flyers. The team just wanted to make sure the SEC was aware of this effort.

Ms. Mann asked if the team has ever compared this potential project to another project tunnel project of this magnitude so that they can draw the true air quality analysis that occurred from the construction process. The project's construction would overlap the Delta breezes. The wind can vary from 20 mph in Rio Vista and quiet in Discovery Bay. Or it can be 40 mph in Discovery Bay while somewhere else does not get the wind. She appreciated the work with all the different models but wanted to be reassured that the DCA was looking into all the communities like East Contra Costa County, Brentwood, Byron, Discovery Bay, Stockton, and up North. Ms. Mann added although the air quality tests have been done up to the fence line, their schools and homes are on the other side of the fence. Has any of that been considered?

Regarding the libraries, Ms. Mann said libraries aren't utilized since the internet has been around. The team should be making use of the internet and working with town managers involved in this project and adjacent, like Antioch, Byron, and all the small towns along Stockton. Others that need outreach are the Chambers of Commerce.

Ms. Parvizi said she appreciated Ms. Mann's comment about the internet, but the DCA cannot solve all the broadband issues that Delta-area stakeholders face. Bringing materials to the libraries is the answer for the broadband issues and response to the fact that folks have said they do not have computers, are not comfortable using them, or it takes too long to download the files. The DCA and DWR teams are trying to find a balance and most work is done over emails, mail lists, and newsletters, but they respect the fact that not everyone has that access, hence the libraries. The team sent outreach to elected officials and other folks like Chambers of Commerce, but since this is a controversial project, sometimes there is no response. Outreach can be done but they cannot force people to respond. It is very politicized, but DCA will continue to do their outreach from a county perspective and Chamber of Commerce perspective.

Ms. Mann said local elected officials and chambers of commerce may not understand the extent to which the proposed project might affect their community. They might not understand the environmental impacts except for the fact that they do not want to provide this benefit to the neighbors to the south.

Ms. Parvizi said there are many reasons why small business owners would want to know this information but there is only so much the team can do and cannot force those to sit at the table. The door is open if there are any questions or concerns.

In regard to Ms. Mann's comment about air quality analysis, Ms. Buckman said she would pass on the question to Ms. Yoon and Mr. Carr, since their agenda item was over and they were no longer on the meeting. She reminded that the fence line analysis is not the only analysis. The team is also looking at ways and impacts as well, what was presented today was just one component of the overall air quality study.

Ms. Swenson said she signed up for outreach before there was a global pandemic. She has attended all the meetings, tried to do her outreach, and her best to provide what they can to the community. Some SEC members asked to pause for this very reason and told the DCA they were incapable of conducting outreach at an effective rate when the pandemic hit. They have tried in current conditions but there are a lot of other factors that cannot be controlled. There will be missed opportunities so DCA should backpedal, start anew, and conduct effective community outreach.

Ms. Barrigan-Parrilla read a resignation letter on behalf of herself and Restore the Delta. [Editor's Note: the letter is attached to these minutes.]

### **5c. Engineering Updates**

Mr. Bradner said at the last meeting in June, a few different design changes were reviewed. One of them was regarding the layout of the Twin Cities Complex ring levee. Some adjustments were made based on some ongoing hydraulic analysis analyzing existing conditions within Twin Cities and evaluating what potential effects could occur. The big pictures are part of the overall program, a system wide evaluation of flood risks is performed early in the conceptual design stages. DCA looked at levee vulnerability throughout any of the reclamation districts that would touch any portion of the Notice of Preparation boundaries that included a much broader area than there might be considered along one alignment or the other. Included in that levee

vulnerability assessment was a detailed analysis of existing levee geometry, as well as flood history and other factors that were included in that analysis.

To address any issues that were daylighted through the levee vulnerability study, DCA looked at a combination of structural and nonstructural measures. Nonstructural measures are not really the subject of this discussion but just for reference, those would be things like emergency response training, coordination among various emergency response entities who might be responding to an emergency, coordination with the local reclamation districts, staff training for all potential construction workers, and the activities that might be occurring.

In terms of the Twin Cities site specifically, there are a couple of key considerations. First, Glanville Tract has a history of flooding from multiple sources. It is a complicated area with several different potential sources and historical sources of flooding. There are some advantages at the Twin Cities Complex where the ground is rising in elevation moving West to East across Glanville Tract. The Bethany Reservoir alternative perimeter ring levee for Twin Cities climbs out of the Delta foundation conditions, which leads to shallow flooding at elevations of 10 and above, versus the interior elevations below zero and climbing out elevation-wise which helps lead to shallow flooding in this area. The ground conditions themselves are much better in this part of Glanville Tract. DCA got out of the peat deposits shown by the pink shading on the image that showed the interpreted distribution of peat deposits within the Delta. Deposits are tapering and disappearing towards the Twin Cities Complex side of Interstate-5. The ground conditions are better there, where there are no soft compressible materials in the foundation. As a point of reference, the logistics plan for the Twin Cities site would require raising and shifting Franklin Blvd a little bit to the West, specifically for the Central or Eastern corridors so the railroad can make the grade change. It is elevated up on the railroad embankment and needs to turn into the site. Franklin Blvd. must be at a similar height and is already required as part of the logistical plan. All of these factors combined lead to the solution for Twin Cities, which is somewhat unique within the program, to have a temporary ring levee to protect the construction area of the Twin Cities Complex.

Hydraulic modeling and studies were performed, as discussed last time. The purpose of these studies was to evaluate the potential flooding inundation effects of the temporary ring levee, as well as the permanent RTM stockpiles of the Twin Cities Complex site. The approach used an existing hydraulic model under the HEC-RAS software. This is a model known as the Sacramento County North Delta Model and is widely used in that area. The model has been validated in past events and just for reference, is the same model being used to evaluate the effects and benefits in the McCormack-Williamson Tract project. It was noted the McCormack-Williamson Track project was not included in the evaluation of flood effects. It is expected that the McCormack-Williamson Tract project would result in some stage decreases upstream of that construction. McCormack lanes and track could lessen some of the flood effects, particularly along the railroad embankment adjacent to Twin Cities Complex. DCA evaluated 100-year runoff hydrologic event with a 1% annual exceedance probability. This was a runoff event prepared for Sacramento County Department of Water Resources.

Mr. Bradner spoke on existing conditions with the hydraulic models and depth of inundation. The presentation showed computed flood shallow depths approaching zero feet inundation as light blue and darker blue colors are deeper depths. Then, the image showed light blue transitioning to brown. The limits of inundation are shown, and as gets shallower, it gets



brighter blue. To summarize, some of the complexity of the Twin Cities Complex location is shown with the circle in the image, but this depiction of inundation depths does not include that ring levee.

The image showed current conditions. The flood waters moved through the site and then through a couple of different sources, mainly entering the site from the north where the arrow pointed to Lambert Rd. It is an existing road elevated where floodwaters enter Glanville Tract by overtopping Lambert Rd. There is some flow from the East as well, overtopping the adjacent railroad embankment. The water gets to the north side of Lambert Rd. by a couple of sources. One flows down through Stone Lakes, coming from the Morrison Creek Group, which is all runoff from Elk Grove and urban development north of the area. A lot of that water flows from those areas into Stone Lakes, comes close through the site and then it hits the perimeter levee there represented by Lambert Rd. In some cases, some of it flows over Lambert Rd. into the area of the Twin Cities Complex. Another way water gets backed up on the north side of Lambert Rd. is through Snodgrass Slough, which is shown on the left side of the image. The very dark blue color on the image goes through a tight construction there and then starts pushing water up to the north side of Lambert Rd., as well. The combined effects of Morrison Creek Group or Snodgrass, depending on the specific storm, helped to deepen pushed water and create that back up on the north side of Lincoln Rd.

In looking at conditions of the site, there are a couple of other considerations. Due to the elevation change and the height of the elevation, the water flows generally South and West across the site, stacks up against I-5, then flows through a series of culverts under I-5, and concentrating down into the Southwestern corner of Glanville Tract. Water moves through Glanville Tract in a clockwise circle.

The flooding in the Twin Cities Complex area is very shallow. Average flooding depth within the area would be about two feet. Although there are areas where it gets a lot deeper moving through the West to lower elevation areas.

Mr. Bradner presented the reconfiguration presented at the last meeting. The original configuration was shown with the dashed line, so the changes are more visible. The upper images is for the Central and Eastern corridor ring levee and the lower right is for the Bethany Reservoir Alternative. A couple of key changes were made based on hydraulic modeling. DCA removed the levee connection to Dierssen Rd. earth ramp that had originally tied in for the ring levee to connect to that ramp and be continuous. Instead, the connection was pulled back and a closure structure would be used along Dierssen Rd. if there were to be a flood event in the area. The lower right of the slide showed that the original dashed line was very close to I-5 and had been shifted back to the solid line to pull back from I-5. The point was to create more space between the Western side of the ring levee on I-5 necessary to allow the overland flow to move around the site as it naturally does, following topography, and reach those existing culverts under I-5. Those revisions have been incorporated.

Mr. Bradner showed the summarized results of the analysis with the ring levee in place beginning with the most conservative scenario, which is the Bethany ring levee. It has the largest footprint in terms of the overall site size and the length of perimeter ring levee around the site. A graph was presented of the Bethany ring levee and Lambert Rd. with two reference points identified with plots of the water surface elevation that coincide with those reference

points. In general, there are limited flood height increases in the area immediately north of the Twin Cities Complex represented by the lower point on the figure, and that lower graph on the figure. For reference, the current flood depth for a 100-year event would be 0.6 feet at that location and is increased by 0.4 feet up to an inundation depth of one foot at the reference point. It has increased by less than half a foot at that location.

Moving to the north side of Lambert Rd., which is indicated by the upper plot, there is zero change in the response of the flood hydrograph. What stage the flood inundation would reach, and timing of that is completely identical between the existing conditions once the ring levee is included. The overall increase in the inundation area is about ten acres and is all limited to the area that is represented by a purple color along the fringe of the inundation area transitioning to the dry area. It is a relative increase of the inundation zone as a result of the temporary ring levee. There are no changes to the flood impact area once it goes to the north side of Lambert Rd.

Mr. Bradner presented the Bethany stockpile which is the most conservative condition because the Bethany Reservoir alternative results in the largest permanent stockpile. In this case, the stockpile is not as large as the ring levee. When looking at those same reference points to evaluate the change, it is even less. Looking first at the point immediately north of the stockpile, the increase is slightly under .1. It is definitely a negligible change in terms of the flood stage height. The increase in the inundation area is smaller, more on the order of four acres, and again that would be at the very margins of the floodplain area and all to the south of Lambert Rd. Again, there are no impacts to the area on the north side of Lambert Rd.

Ms. Swenson said a ring levee is not innovative. Every time DWR has an idea it is a ring levee. The DWR analysis does not jive with historical data. A ring levee will cause harm to the community. The protection is for the project site, not for the people or property owners in the Delta. Climate change had not been factored in. There will be increased water dumping in the valley with a ring levee or elevated area. This was not a clear idea presented in Point Pleasant. This model does not represent conditions known by generational families.

Mr. Bradner said the model is validated, as in past events and is accurate to match real conditions, granted each storm is unique. DCA looked at a 100-year event as a reference while analyzing other scenarios, but it does give a good reference point on the ring levee and stockpile on conditions that might occur during that type of inundation. Regarding the ring levee, the team looked at a different approach at Bouldin and Lower Roberts where geometry repairs worked well. Unfortunately, the flood risk and concerns are much more complicated at the Glanville Tract. It does not really lend itself to going around and trying to improve the perimeter levee system under a situation like that. Recognizing RTM and construction all around, the team wants to make sure the area is completely contained and not able to move around if the area were inundated. Regarding the materials, the same materials were presented and if there is any interest in folks learning more, the team encourages reaching out.

Mr. Hsia asked for clarification on flood depth and elevation. Are they opposite?

Mr. Bradner said they are different references. Flooding depth is related to someone standing in the water. To get flood depth, subtract the flood elevation minus the ground elevation.

Mr. Cosio asked what DWR will do about climate change and what will be analyzed? Reservoirs and dams will not be able to withstand climate change and flows. He asked what climate change effects will DCA model.

Mr. Bradner said as a point of reference, the ring levee itself is not designed to be just above those flood levels, it's designed to be a foot and a half above the FEMA 100-year flood, which is elevation 19. The ring levee itself is up to elevation 20.5 and then elevation 21 along the Franklin Rd. side. The flood depths in the presentation were around 14.5 so there is still quite a bit of freeboard above the levee. More could still be looked at, but the goal was to set a baseline for the analysis.

Mr. Cosio clarified that he was not asking about the design of the ring levee; he was asking about additional flood height in areas that will be affected because of climate change.

Mr. Bradner said the team is still looking at other scenarios for models.

Mr. Moran asked if considering that the measuring is done by 100-year flood, would that ring levee have any outsized effect, perhaps a 500-year flood or with a larger scale flood. Or does it stay the same impact regardless of the size of the flood?

Mr. Bradner said this is something that DCA will note and look for other ways to study.

Ms. Martinez added that DWR held a webinar on climate change, and it is posted on the website. This might be another resource if folks are interested in taking a deeper dive on that item. The link was added in the chat for reference.

#### **5d. Public Comment on Item 5**

Ms. Malone addressed the technical difficulties experienced during the meeting and informed that the problem was with the RingCentral platform. The problem has not existed in any of the prior webinars. The issue had been identified by RingCentral and is not something that can be fixed during the meeting. They do not anticipate this being an issue moving forward. For anyone who was trying to see more of the participants, there was a two-line vertical bar next to the presentation. If that was dragged left or right, it would display more or less members. She acknowledged that this was not a perfect fix, nor that everyone can be seen, but allowed to see the presenter and slide.

Ms. Meserve said she appreciated the team addressing the technical issue. She added when she signed on, she could not see who was participating, which typically she can. She thought that in a public meeting, especially to the extent it is being replicated in a virtual format, staff should be seen. For the SEC there should be a list to see all participating staff and SEC members to have the feel of a regular meeting. She had a similar issue with a previous webinar where the public is blocked out from what the DCA chooses the public to see and objected to that curation. It goes against that open process that DCA says it is pursuing. She still could not see all the participants squares despite Ms. Malone's advice. On air quality, she was confused with presentation and methodology. The SEC asked for results and numbers which the DCA reported there were no numbers yet. Then later, ICF reported there were models and analysis

conducted. If some kind of analysis had been done and there are preliminary results, the DCA should disclose that information or make it available later. In regard to Ms. Barrigan-Parrilla's comment about Stockton and other regions, the project spans four air basins; just because it is so large does not mean they cannot do them all together.

## 6. FUTURE AGENDA ITEMS AND NEXT MEETING

Chair Palmer said that as this was the 18<sup>th</sup> SEC Meeting; the SEC has achieved a lot over the past two years, with significant time and energy invested by this very committed body representing a very diverse Delta community. While the DCA understands the process has been challenging because of the general opposition to the project by most of the members, the work conducted resulted in significant adjustments to the design and logistics. She said as they had all agreed at the beginning of this process that the SEC was convened to create a space where local stakeholders, people who live, work and recreate in the Delta, could come together to gain accurate technical information about the project while providing insights to DCA's engineers on ways they could reduce effects to Delta communities during conceptual design. The DCA is now at a point where they are pencils down on conceptual design, with little opportunity for additional engineering until after the environmental process is complete. The SEC has done its job. Now, the project focus going forward will be the release of the Draft EIR.

DCA Legal Counsel, Josh Nelson said as the environmental process moved forward, the Brown Act could affect the way individual SEC members are able to express opinions and comments. The Brown Act precludes the majority of the SEC from being in the same place and time to discuss the project or other SEC business outside of an SEC meeting. This can affect attendance at workshops or other meetings if these conditions apply. There are some exceptions that will cover many types of public meetings but it is a potential concern. In addition, AB 992 restricts the ability of the SEC to comment on or respond to DCA social media posts making electronic collaborations much more difficult. In considering the next steps for the SEC, Mr. Nelson noted the requirements of the Brown Act, and if the SEC continues to meet or takes a break, they will continue to be in place restricting community members. Alternatively, if the SEC were to sunset, those Brown Act restrictions would be lifted on members.

Chair Palmer said given all of this, the DCA is considering winding down the SEC, with December potentially being the last meeting in this form. To clarify, the SEC was established by the DCA Board, so with regard to process, it will take a vote of the DCA Board to formally sunset the SEC. If the SEC were to sunset, that would not mean the DCA would shut down communications. Outreach would continue and the team would remain vigilant about engaging with Delta stakeholders and would welcome input. Additionally, there would be continued engagement opportunities through the CEQA process, future design stages if a project is approved, and Community Benefits.

Chair Palmer said looking forward, the items on the slide presented lay out what the team was planning for the next meeting, currently set for December 8<sup>th</sup>, 2021. The DCA is anticipating an overview of the work completed and perhaps a look at next steps in the overall process. The DCA would continue to provide information and updates to people and to the libraries. This is important for the overall outreach. The DCA will continue to meet with community groups that wish to go over any item.

Ms. Giacoma said all the other boards in the Delta, including those populated by DWR members, are meeting in person. She found it disingenuous to use COVID as an excuse to not meet in person to discuss this weighty project of great concern. It did not seem right to her.

Ms. Martinez said hopefully the next meeting can in person. The team will assess.

Ms. Swenson said this had been an invaluable experience even though they have been curtailed by COVID. She learned a lot from the presentations, a lot about the ideas behind the project, and thought it was a shame to cut off the opportunity for the public to engage with the DCA process and thinking. The DCA should be interacting with the public because ultimately the taxpayers will be paying for this project. It would be a sad ending to end December 8th. Ms. Swenson said it had been a very valuable and educational experience.

Chair Palmer said one of the things discussed was that there could be a point in the future where one could have another stakeholder group assembled. At this point the issues and constraints of the Brown Act were limiting, as Mr. Nelson has mentioned, especially during the CEQA commenting period. This was not to say DCA would not want to have a SEC come back into play after they went through this period and start to do more design and engineering work after a route has been chosen, CEQA had been done, and no-alternative has been analyzed.

Mr. Gloski said this has been a valuable process and it is a bit unfortunate it would be ending. If it was valuable early on with the earlier pieces of information flowing back and forth, he is not sure why it would not be valuable now. He wondered what had changed. He asked to know once the DCA Board votes for the SEC to sunset if everyone can get notice of that. It's unfortunate, having presented to the DCA Board that there is no member on the DCA Board that has any experience in the Delta. The Board members are all out of the area and representing other parties. It is extremely unfortunate there is no voice there. DWR has the next big step coming and it is unfortunate because the team would be losing this great source of information.

Mr. Bradner said it was always the intention of the SEC to sunset. It is a body launched to allow folks to provide input during the conceptual design phase. The conceptual design phase, for all practical purposes, is over. The DCA had prepared conceptual designs and provided them to DWR. The DCA had been keeping up with showing the SEC adjustments and changes, but they had not been the biggest elements. Certainly, the DCA had gone through a lot more detailed content over the past year, and year before that. It is at a natural point to sunset, and it is no reflection on staff, or the SEC. Mr. Bradner said he absolutely valued the input of the SEC, and the value is tremendous. There is a point now where the CEQA process is driving the bus and the DCA can step back, letting that process take its course.

Mr. Cox said all throughout these meetings, the fishing community had made comments that they want some protection built around Clifton Court. They kept getting the response that it is not part of this project and were told that it would be included in a discussion later. Now the DCA will sunset the Committee and once again fishermen are not going to get their comments made or get the interest of the fishing community considered. The whole committee experience has been frustrating. He was sent out to get information from fishermen, he gathered information from fishermen, and the team does not want to hear it. He felt like they

were led along. The fishing community's main concern was Clifton Court being addressed later and now this process will be done and over.

Ms. Martinez said she was so sorry Mr. Cox felt that way. She reminded about the opportunity to have outreach meetings. A meeting could be held with the fishing community. It could be discussed if that is something that Mr. Cox would be comfortable with.

Mr. Cox said he did not even see the value in that. Every time the fishing community raised a concern, they were told it is not part of the project. He did not see how that is going to do anything. Fishermen kept getting the same answer, that is not part of this project. When will it be part of the project?

Ms. Buckman said she heard his frustration. The Delta and water in California are why the team has had a number of frustrations tonight because it is difficult and complicated. There are so many issues affecting people in the Delta in many ways. The SEC has only talked about a small subset of those issues and Ms. Buckman understood that it is a frustrating process and a difficult one because there are so many things to concern the SEC. She understood the issues of Clifton Court, but it is not part of this project to make changes there. There was no plan to talk about it because it is disconnected from the Delta Conveyance Project. She let Mr. Cox know they could talk more off-line, but it is not an effort of this project unfortunately.

Mr. Cox said Ms. Buckman told him personally that it would all be addressed by the end of this committee. That is why he felt that way. Promises have not been kept. He had been told that it would be addressed with the committee, but it had not.

Vice Chair Keegan said she appreciated everyone's efforts and participation in this process. It was interesting to have feedback about the idea of sunseting the SEC for a while or maybe the SEC served its purpose because the intent behind this was to make sure that everyone who had participated diligently in this process had the opportunity to fully express themselves as part of CEQA. It seems some of the constraints of the Brown Act were getting in the way of folks being able to lobby effectively for the communities they are serving. That is part of the tension point Vice Chair Keegan wanted to address. Whether the SEC moves forward, takes a hiatus, or comes to a stop, everyone's participation had been authentic and meaningful in the process. It has been almost two years and people still show up for the meetings. She wanted to clarify the point many were making that there is no connection to the Delta from DCA members. Vice Chair Keegan had been a recreational boater of the Delta since college regularly and has family involved in the Delta. She does have some connection with the Delta community, is an alternate on the DCA Board, and co-chair on the SEC committee. She assured the SEC that her interests and concerns are known to the staff about recreational boaters that overlap with the fishermen. She appreciated what everyone has provided and feedback as the CEQA process.

Mr. Moran said this has been an incredible value. He thought he knew a lot about the Delta and how it worked. It had been an incredible experience. One of the great things they had gotten out of this is connections with different parts of the community, even with longtime Delta folks. They are reaching out to different community members and community groups that are important for the DCA and DWR to hold onto in one way or another. He appreciated the Brown Act considerations and that a lot of the connections made here, have precluded some of the connections and collaborations that could be valuable going forward for the community, but

for the Brown Act. He appreciated that this format loosened people up to allow them to do things. He thought because of the value of this group, there should be some kind of mechanism to reconvene either outside Brown Act limitations, or to convene as some type of resource group, or voting in person. He would hate to see the value of the committee diminish even though its job is done. The other values of the committee would be lost, and he would like to see that continue. He thanked everyone one for this incredible experience.

Ms. Mann said the team has done a great job taking comments as the members of the SEC are protecting their homesteads, fishing waters, recreational boating waters, farms, community. Ms. Mann said the DCA would do the same as well. The Brown Act has not been the issue, it is the pandemic that is the issue not allowing the SEC to get together, not just as a group but as a community. In Contra Costa County, gatherings are not allowed unless there is proof of immunization. The pandemic is the bigger problem, and the project should have been stalled as a result of what was going on in the world. Ms. Mann asked if the team is any closer to a plan on what route to choose.

Ms. Buckman said the route selection will be part of the alternative process in the EIR. The team is analyzing the environmental effects of the alternatives including Eastern, Western, and Bethany. Those environmental impacts analyses will be the basis of the decision after the Final EIR when they issue a decision statement. There will not be a decision now because they need to see the environmental impacts which is an impart part of the decision-making process.

Ms. Mann said with all this information given to the SEC, it seems like it jumps out to her. She still wonders why alternative considerations were not taken into account. She said thank you to the team for being passionate about the Delta, where they live and recreate.

Ms. Giacoma said the elephant in the room had not been addressed at all. California is going through a historic and exponentially accelerating drought that has rendered the land so dry that it is cracking open. She said in her area, the well is sinking so low that the toxic levels of arsenic are rising true to all over the Delta. Lake Oroville and the Colorado River are running out of water. There is a climate issue that cannot be ignored. The conditions of the Delta are due to over drafting decades before this time and the DWR wants to take more water underground to take south. This issue should be addressed.

Mr. Bradner said that he has the same concerns. The team's job is by no means done. However, in terms of the project, they have reached a stage in the conceptual design of the Delta Conveyance Project where they have provided those details to Ms. Buckman to go through the analysis. To the extent that there is still development of conventional design that this body can provide input on, that piece has sunset. There will be future opportunities through the CEQA process, future stakeholder bodies, and other opportunities to continue to engage and provide feedback. The DCA will continue to reach out to the community and talk to folks about the program and make sure they understand the engineering elements. The job is not done, and California's water issue is not solved. He said that with respect to the development from the conceptual designs, DWR has what they need for the CEQA process.

Ms. Giacoma said the DCA has not addressed the issue of lack of water. The water is going away and is in a critical stage now. Through all this engineering and design, this issue has not been addressed and that is the overriding issue.

Ms. Martinez said to look out for an email from Ms. Parvizi who will be reaching out to provide the SEC Members with details moving forward. The decision from the DCA Board about sunseting would not come out until January 2022. There is still time to give input about this in the next December meeting. It is not that the SEC will be forgotten by the DCA. The SEC could reconvene at some point. The question is if they want to stay in the SEC process and be limited by the Brown Act and possibly meet quarterly. She asked the SEC to think about it, stay involved, and informed no matter what route is chosen.

Mr. Bradner said in terms of the sequence of things and how things are going to be falling over the next couple months, there will be a DCA Board meeting in November and the SEC meets in December. After that meeting, it will be an item for the DCA Board in January to sunset the SEC. It will be the DCA Board who will decide whether or not to proceed.

Chair Palmer said there is time for the SEC to give input to the DCA Board since it will not be up for a vote until January.

## 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 today there was a LA Times article saying that despite Governor Newsom's pleas to cut the consumption of water by 15 percent, Los Angeles and San Diego actually increased the amount of water that was used. This project felt like an endless cycle mainlining water that is not being used effectively and treated as sacred. The aqueduct is still uncovered, and 30 percent of water flow is being lost. It is irresponsible to bless this project knowing there might not be water available. This project will not solve the water issues and imposes incredible impacts for the people in the Delta with zero benefits. There needs to be another plan. When the Delta water master tells the farmers to keep irrigating until there is no more water. All experts can see what is happening and it is time for this project to face reality. This is an old project with old plans. It is outdated and antiquated. Ms. Swenson said they must stop relying on the idea that this is misplaced rain. It is time to be responsible stewards that the public trusts and make decisions for the taxpayers. All this energy should be put towards solving this problem, which can be solved. The focus is on a project that has no value. Every day that passes it becomes clearer, why build a tunnel for no water?

Ms. Moreno said the DCA needs to consider something that is more sustainable than this project. This will wipe out an entire ecosystem for something that will not even be usable. As a taxpayer it is concerning and as a person, it is even more concerning. It is a big project for something that may not even be used.

## 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.*

[Editor's Note, due to internal miscommunications, public commenter was not able to present her comment verbally but it is set forth below for inclusion in the minutes.]

Osha Meserve

Local Agencies of the North Delta

1. The DCDCA Board determined in 2019 that the SEC would be a Brown Act body. At that time and now, I believe this was a faulty decision that unduly constrained the SEC. The SEC has no authority, does not vote, and the recommendations of individual members have, for the most part, not been followed. Should the SEC members wish to continue, I believe the DCDCA Board could take the appropriate actions to revise the formation of the SEC to not be a legislative body under the Brown Act.
2. I heard promises to continue engagement irrespective of whether the SEC continues to meet. Yet as we have heard from SEC members today and previously, that the Delta Conveyance Project will not address the most pressing water problems our state faces. Real engagement means DWR and the DCA actually listen to the stakeholders, and that means considering a reasonable range of alternatives to the conveyance project. Making some minor modifications here and there does not address the very real problems with the DCP proposal.
3. When and if the SEC does conclude, any description of these proceedings should be vetted with the SEC members themselves to ensure they are accurate. The extent to which SEC comments and suggestions were or were not incorporated into the proposed project must be clearly described.

There were no additional public comment requests or comments received in writing.

## **9. ADJOURNMENT**

Chair Palmer adjourned the meeting at 6:03 p.m.

September 24, 2021  
Mr. Graham Bradner  
Executive Director  
Delta Conveyance Design and Construction Authority  
1121 L St.  
Sacramento, CA 95814  
Sent by e-mail: [claudiarodriguez@dcdca.org](mailto:claudiarodriguez@dcdca.org)

Dear Graham,

This letter is to confirm my resignation from the Stakeholder Engagement Committee effective immediately.

As I stated at the September 22, 2021 SEC meeting, when I joined the SEC, I did not believe that Restore the Delta would grow to embrace the Delta Conveyance Project or that our efforts would stop the DCA's pursuit of constructing a single tunnel through the Delta. I did treat the efforts as a good faith negotiation where we could do the hard work together of problem solving around the significant impacts to the region that will be part of Delta Conveyance construction and operations.

While DCA interests are pretty much the polar opposite of Restore the Delta's disinterest in the Delta tunnel, we felt that the DCA's information sharing under Kathryn Mallon's leadership first, and then yours, was fair, straightforward, and filled with details for us to consider, to challenge, and to critique with an eye toward improving the project. We do appreciate the DCA's collective efforts over the last two years in working with SEC members.

Our frustration and reasons for resignation are in response to DWR input, leadership, and treatment of the more serious impacts that will impact all Delta communities, but especially environmental justice communities, with construction and operation of the tunnel. First, DWR's weak and inadequate responses to the current drought have placed Delta water quality needs dead last in terms of state water management priorities.

Second, the "voluntary agreement" process to set Delta flow standards apart from the Bay-Delta Plan, has delayed much needed action to re-establish flows as a mitigation strategy for harmful algal blooms which are a constant and present danger in the Delta. Moreover, the "voluntary agreement" process, which will serve as the cornerstone for Delta tunnel operations, leaves the Delta's environmental justice community out of the decision-making process, along with Northern California Tribes. Restore the Delta sees this as an extension of California's water rights system, which by design, left the Tribes, and people of color out of land ownership with associated water rights. Such a model no longer serves the present and should not be the model by which the Department of Water Resources handles closed door negotiations for California's most essential natural resource – water.

Third, DWR's delay in providing requested data to public interest groups like Restore the Delta (and we were more than willing to accept data calculations to protect confidentiality of environmental justice respondent surveys) feels like nothing more than foot dragging. Their delay coupled with decisions not to evaluate water quality impacts

through an environmental justice lens for the upcoming EIR, and the less than adequate presentation on air quality data at yesterday's meeting, indicate that they are cherry picking environmental justice topics, responses, etc. to give the illusion of care without doing the true analysis that is needed, or putting Delta environmental justice communities front and center of needed protection with the project. Clearly, Stockton is being considered as outside the footprint of the project, even though the tunnel will very likely be moved further east into San Joaquin County. Moreover, when we see DWR isolating one vulnerable group within the region, like South Stockton's environmental justice community, from full analysis, we can surmise that impacts for rural and urban Delta residents will be downplayed and not adequately mitigated. DWR won't even examine the affordability of the project for Southern California ratepayers who are part of California's environmental justice communities.

Whether through the voluntary agreement process, tunnel planning, or drought measures, DWR makes winners and losers within California water management, rather working to do right by the majority of people – especially California's most vulnerable populations. We see this as institutional failure within the Department of Water Resources and antithetical to the Newsom Administration's public claims of putting environmental justice front and center in California.

Thank you for considering our comments. We hope the DCA can use our comments to push for a fairer response to impacted parties described in our comments.

Sincerely yours,

Barbara Barrigan-Parrilla  
Executive Director