

**DRAFT 1/28/16 - SUBJECT TO CHANGE**  
**For Review and Adoption by the DSC at the February 25, 2016 Meeting**

**Thursday, January 28, 2016**  
**DELTA STEWARDSHIP COUNCIL**  
**Park Tower Plaza – 2<sup>nd</sup> Floor Conference Center**  
**980 Ninth Street**  
**Sacramento, CA 95814**

**MEETING SUMMARY**

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**1. Welcome and Introductions**

The meeting was called to order at 9:02 a.m. by Chair Randy Fiorini.

**2. Roll Call – Establish a Quorum (Water Code §85210.5)**

Roll call was taken and a quorum established at 9:03 a.m. The following members were present: Patrick Johnston, Randy Fiorini, Phil Isenberg, Aja Brown, Mary Piepho. After roll call the Council recessed at 9:05 a.m. for the Closed Executive Session. Council members Frank Damrell and Susan Tatayon arrived during Closed Executive Session.

**3. Closed Executive Session – (Not open to the public.) (Action Item)**

*The Council may discuss litigation matters pursuant to Government Code §11126 (e)(2)(a), (e)(2)(B)(i), and/or (e)(2)(C)(i), including: (a) Delta Stewardship Council Cases, Coordinated Proceeding JCCP No. 4758, and (b) Bracewell Engineering Inc., et al., v. Delta Stewardship Council, et al., Sacramento County Superior Ct. No. 34-2015-80002178.*

The Closed Executive Session convened at 9:07 a.m. and adjourned at 9:50 a.m., with Chair Randy Fiorini presiding.

**4. Reconvene Open Session**

Upon adjournment of the Closed Executive Session, the Delta Stewardship Council (Council) reconvened in Open Session at 10:00 a.m. Chair Fiorini stated that no action had been taken during the Closed Session.

**5. Adoption of the Dec. 17, 2015 Meeting Summary (Action Item)**

Chair Fiorini asked if there were any questions, suggestions, or comments from the Council or public regarding the Dec. 17, 2016 Meeting Summary; there were none.

**Motion:** (Offered by Damrell, seconded by Piepho) to approve the Dec. 17, 2015 meeting summary.

**Vote:** (6/0: Johnston, Damrell, Tatayon, Brown, Fiorini, Piepho) and the motion was adopted. Vice Chair Isenberg was out of the room at the time of the vote.

The video showing this vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-01-28&player=jwplayer> at 01:30.

## 6. Chair's Report

Chair Fiorini provided opening remarks for the meeting. He noted the agenda included two action items, approval of an amended reimbursable Interagency Agreement with the State Water Resources Control Board (SWRCB) and endorsement of an issue paper, *"Improving Habitats along Delta Levees"*, as well as a review of the Annual Report.

Chair Fiorini asked if there were any questions from the Council and, as there were none, he concluded his report.

## 7. Executive Officer's Report

Executive Officer Jessica Pearson began her report by previewing the day's agenda. Ms. Pearson discussed the Council's request for increased funding in the Governor's proposed budget and noted the inclusion of the Clarification of the Council's Budget Request that was provided to the members and public as a handout and is posted on the Council's website at <http://deltacouncil.ca.gov/docs/clarification-councils-budget-request>.

Ms. Pearson said the SWRCB was holding a pre-hearing, procedural conference on the change in point of diversion application submitted by the Department of Water Resources (DWR) and the Bureau of Reclamation as proposed in California WaterFix. Ms. Pearson said the Council was not participating in the proceedings but would monitor them.

Next, Ms. Pearson briefed the Council on two comment letters sent by staff and provided as handouts at the meeting. The first letter was to Stuart (Greg) Farley, DWR, regarding comments on the Draft Small Communities Flood Risk Reduction Program Guidelines and the Draft Proposal Solicitation Package. The comment letter is posted on the Council website at [http://www.deltacouncil.ca.gov/sites/default/files/2015/12/DSC\\_comments\\_DWR\\_Draft\\_SCFRR\\_Guidelines\\_PSP%20f.pdf](http://www.deltacouncil.ca.gov/sites/default/files/2015/12/DSC_comments_DWR_Draft_SCFRR_Guidelines_PSP%20f.pdf). The next letter was to Rhiannon Kucharski, U. S. Army Corps of Engineers, Sacramento District, regarding comments on the Draft Central Valley Integrated Flood Management Study Watershed Plan. The letter is posted on the Council website at [http://www.deltacouncil.ca.gov/sites/default/files/2016/01/DSC\\_comments\\_USACE\\_CVI\\_FMS\\_SAC\\_f.pdf](http://www.deltacouncil.ca.gov/sites/default/files/2016/01/DSC_comments_USACE_CVI_FMS_SAC_f.pdf).

Ms. Pearson concluded with administrative announcements. She welcomed new staff members Amanda Bohl, manager for meeting services and special projects; Annie Adelson, a California Sea Grant Fellow who will work with the Science Program under to support the Delta Independent Science Board (ISB); and Monica Oey a State Fellow who will work in the Planning Division. Ms. Pearson also noted the departure of Cindy Messer, who accepted a position at DWR.

### **7a. Legal Update**

There was no Legal Update presented at the meeting.

### **7b. Legislative Update**

Ms. Pearson invited Ryan Stanbra to provide the Legislative Update. Mr. Stanbra's update is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-7b-legislative-update>.

Included in the update is the Bill Tracking Report that is posted at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-7b-bill-tracking-report>. Also included in the members' meeting materials was a copy of SB 554 (Wolk) regarding Delta levee maintenance along with the Fiscal Committee Analysis. They are posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-7b-sb-544-wolk> and <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-7b-sb-544-fiscal-committee>.

Throughout the Legislative Update, Mr. Stanbra heard Council members comments, answered questions, and provided clarification.

Council member Piepho requested the Council consider endorsing Senator Wolk's legislation and asked Ms. Pearson the procedure for providing comments on legislation. Ms. Pearson said staff will analyze the bill and share the information with Council members in February.

### **7c. Quarterly Contract Update**

Ms. Pearson noted the inclusion of the Quarterly Contract Update in the Council meeting materials. The update covers October 2015 through December 2015 and is posted at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-7c-quarterly-contract-update>.

### **7d. Approval of an Amended Reimbursable Interagency Agreement with the State Water Resources Control Board (Action Item)**

Ms. Pearson introduced Item 7d, recommending the Council approve an amendment to a reimbursable Interagency Agreement (12-114-300) with the SWRCB increasing the amount from \$410,000 to \$510,000 and extending the term to June 30, 2021. This agreement funds independent scientific reviews and workshops supporting Board actions related to water management and water quality in the Delta.

The staff report for this item is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-7d-approval-amended-reimbursable>.

Chair Fiorini asked if there were any questions or comments from the Council or public; there were none.

**Motion:** (Offered by Isenberg, seconded by Damrell) to approve amendment of a reimbursable agreement with the SWRCB, increasing the amount from \$410,000 to \$510,000, and extending the term of the agreement to June 30, 2021.

**Vote:** (7/0: Johnston, Damrell, Tatayon, Brown, Fiorini, Isenberg, Piepho) and the motion was adopted.

*The video showing this vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-01-28&player=jwplayer> at 22:46.*

Following the Executive Officer's Report, Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

## **8. Lead Scientist's Report**

Dr. Cliff Dahm presented the Lead Scientist's Report, covering a number of collaborative and science communication activities. The staff report for Agenda Item 8 is posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-8-lead-scientists-report>.

Dr. Dahm said that two posters from the Science Conference were displayed outside the meeting room and encouraged everyone to take a moment to look at them. After Dr. Dahm concluded the Lead Scientist's Report, he invited Sam Harader to discuss the *By the Numbers* report. *By the Numbers* is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-8-attachment-1-numbers-summary>.

Throughout the discussion of the Lead Scientist's Report, Dr. Dahm heard Council members' comments, answered questions, and provided clarification. Chair Fiorini asked if there were any members of the public who wished to comment on the item; there were none.

## **9. Year in Review**

Executive Officer Pearson provided introductory remarks. Ms. Pearson was joined by Chief Deputy Executive Officer Dan Ray, Deputy Executive Officer for Science Dr. Rainer Hoenicke, and acting Deputy Executive Officer for Planning Jessica Davenport.

Ms. Pearson said the 2015 Annual Report provides an opportunity to reflect and assess the efforts of the Council and is a valuable tool to inform the Council's 2016 work plan. Ms. Pearson said the Annual Report not only highlighted the accomplishments of the Council but also efforts to implement the Delta Plan by other agencies, and the progress made towards achieving the coequal goals. Ms. Pearson said the annual report will explain the Council's role in the Delta Plan's implementation.

The staff report for this item is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-9-year-review>. Attachment 1, 2015 Annual Report is posted on

the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-9-attachment-1-2015-annual-report>.

After Ms. Pearson's introductory remarks, Dr. Dahm said as he reflected on 2015, he wanted to acknowledge the foundation Dr. Peter Goodwin built in the science program. Dr. Dahm highlighted four accomplishments: 1) the completion and issuance of the *Delta Challenges* report, intended to be a communication tool to focus on some of the major issues that affect the Delta; 2) the building and installation of the drought barriers in 2015 and in particular, the resulting science for which the Council provided the grant money in a timely manner; 3) the release of "*Enhancing the Vision for Managing California Environmental Information*", a white paper that provides a road map to better and quicker access the vast amounts of environmental data collected in and around the Delta; and 4) working with the Delta Plain Interagency Implementation Committee in identifying the highest impact science actions that are now being funded.

Mr. Ray highlighted the routine work of implementing the Delta Plan, including early consultations and comment letters on specific projects. It was also realized that in order to achieve the coequal goals, the Delta Plan would need to be updated to reflect new science, changes in conditions and circumstances, and to anticipate new opportunities. Other items Mr. Ray highlighted were: a reconsideration of how to manage conveyance, storage, and operations in light of WaterFix, one-year water transfers, the Delta Levees Investment Strategy (DLIS), and examining the effects of the ecosystem restoration actions that have been accomplished as part of levee improvement projects; outreach activities and the refinement of the performance measures. Mr. Ray concluded his remarks by noting the departure of key staff as well as the Council's new hires. Mr. Ray said in the last year, the Council has hired 19 new employees and acknowledged the work of managers and supervisors for their recruitment efforts as well as helping the new staff fit into the organization.

Dr. Hoenicke began by acknowledging Taryn Ravazzini, former Delta Plan Interagency Implementation Committee (DPIIC) coordinator and Chair Fiorini for their work with the DPIIC to gain support for identifying and funding high-impact science actions. Dr. Hoenicke said the Delta Science Program supported eight high impact science projects in 2015 with the Council contributing \$2M for critical science investigations. Dr. Hoenicke said this would not have happened without DPIIC coming together and authorizing science managers to work together, furthering the "One Delta One Science" principle. Dr. Hoenicke gave examples of efforts such as the completion of an independent review of a comprehensive life cycle model for winter run Chinook salmon that will serve as a foundation for further research; seminars and symposia organized in close collaboration with other agencies and academic partners were organized on subjects such as climate change, invasive aquatic vegetation, California salmon and climate variability, sturgeon in the Sacramento-San Joaquin watershed, integrated modeling for adaptive management of estuarine systems, and many Brown Bag Luncheon and other seminars, including the most recent seminars focused on the Delta as place. Dr. Hoenicke described two peer review panels that convened to ensure the integration of best available science – the scientific basis of the DLIS prioritization methodology and the annual review of the long term operations biological opinions.

Dr. Hoenicke concluded his remarks by highlighting the Delta Science Fellows Program which supports both policy and research fellows.

Ms. Davenport briefed the Council on activities to foster coordination in the Delta. Ms. Davenport said staff met with each agency on whose project the Council submitted a comment letter as well as project proponents or lead agencies to talk through the Delta Plan policies and recommendations. Ms. Davenport said staff also works closely with local and regional governments on early consultation to help ensure consistency of their plans with the Delta Plan. A theme that has emerges as these meetings have taken place is the need to integrate habitat restoration into flood risk reduction projects. Ms. Davenport also noted it has been helpful to know what was occurring “on the ground”, the challenges people face, and learning how to bring the pieces together for a more integrated approach to implementing the Delta Plan.

Chair Fiorini asked if there were any questions from the Council. Vice Chair Isenberg suggested using the same terminology/format that is used in the “*By the Numbers*” summary (Good, Fair, Poor and Bad) in the annual report’s performance snapshot that shows progress toward each of the Delta Plan goals.

Throughout the discussion the Year in Review, Ms. Pearson and the staff heard Council members’ comments, answered questions, and provided clarification. Ms. Pearson thanked Keith Coolidge for his efforts in pulling together the Annual Report.

Chair Fiorini asked if there were any members of the public who wished to comment on the item; there were none.

At the conclusion of Item 9, the Council recessed at 11:10 a.m. and resumed the meeting at 11:20 a.m.

## **10. Delta Plan Performance Measures**

Executive Officer Pearson introduced Agenda Item 10 and invited Ms. Davenport and John Ryan to brief the Council on the updated recommendations for refinements to the Delta Plan’s performance measures. Following introductory remarks by Ms. Davenport, Mr. Ryan and the Council reviewed Attachment 1 which contained information on the staff’s updated recommendations for refinements to the Delta Plan’s output and outcome performance measures. Comment letters received on the performance measures were provided to the Council as handouts and are posted at <http://deltacouncil.ca.gov/performance-measures>. The staff report for this item is posted on the Council’s website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-10-delta-plan-performance>. Attachment 1, Delta Plan Performance Measures – Staff Recommendations is posted on the Council’s website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-10-attachment-1-delta-plan> and Attachment 2, Delta Plan Policies and Recommendations is posted at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-10-attachment-2-delta-plan>.

Throughout the discussions of Item 10, Ms. Davenport and Mr. Ryan heard Council members' comments and suggestions, provided clarification, and answered questions. Chair Fiorini asked if there were any members of the public who wished to comment; there were none.

### **11. Endorsement of Issue Paper “*Improving Habitats along Delta Levees*” and Update on the Delta Levees Investment Strategy (Action Item)**

Ms. Pearson introduced Agenda Item 11 and began with a brief update on the Delta Levees Investment Strategy. Ms. Pearson said Council staff and the ARCADIS team had a follow-up meeting with the stakeholders to update them of recent DLIS activities and to discuss the methodology used by the decision-support tool as well as expected activities for 2016. Ms. Pearson said Council staff, the ARCADIS team, and key partner agencies have been reviewing the recommendations made by the independent scientific review panel on how to best address the panel recommendations using available information within the time and scope of the project. Ms. Pearson briefed the Council on the next steps in the DLIS development. The staff report for Item 11 is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-11-endorsement-issue-paper>.

Ms. Pearson introduced Ms. Davenport, who clarified the relationship of the issue paper and amending the Delta Plan in the DLIS process. Attachment 1, *Improving Habitats along Delta Levees; Executive Summary* is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-11-attachment-1-improving>.

Staff recommends the Council endorse the issue paper, which was developed in support of the Delta Levees Investment Strategy. Staff has revised the draft version of the paper presented in October based on input from the Council and public comment.

Ms. Davenport provided the Council with a PowerPoint that is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-january-28-2016-meeting-agenda-item-11-powerpoint-presentation>.

Throughout the presentation of Item 11, Ms. Davenport and Ms. Pearson heard Council members' comments, provided clarification, and answered questions. Chair Fiorini asked if there were any members of the public who wished to comment.

### **Public Comment – Agenda Item 11**

Eric Vink of the Delta Protection Commission, suggested that the paper address whether or not habitat improvements that attract endangered fish to the pumps should be discouraged as well as who pays for improvements that go above and beyond mitigation requirements.

**Motion:** (Offered by Johnston, seconded by Isenberg) to endorse the issue paper.

**Vote:** (7/0: Johnston, Damrell, Tatayon, Brown, Isenberg, Fiorini, Piepho) and the motion was adopted.

*The video showing this vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-01-28&player=jwplayer> at 2:51:09.*

## **12. Public Comment**

Chair Fiorini asked if there were any members of the public who wished to make public comment.

### **Public Comment – Agenda Item 12**

Mark Horne asked Dr. Dahm about the mercury workshops. The notice said a paper was forthcoming and suggested there would be a subsequent meeting on the findings addressed in the paper. Dr. Dahm responded that he believed a subsequent workshop was being planned for June. Mr. Horne also asked if the Council would want to comment on the Update to the California Water Action Plan and what it means to the Delta.

**13. Preparation for Next Council Meeting – Discuss (a) expected agenda items; (b) new work assignments for staff; (c) requests of other agencies; (d) other requests from Council members; and (e) confirm next meeting date – Feb. 25-26, 2016.**

The meeting adjourned at 1:00 p.m.