

***DRAFT 1/2/14 – SUBJECT TO CHANGE
For Review and Adoption by the DSC at the January 23, 2014 Meeting***

**December 19, 2013
DELTA STEWARDSHIP COUNCIL
Park Tower Plaza
980 9th Street, Sacramento, CA 95814**

MEETING SUMMARY

Thursday, December 19, 2013, 9:00 a.m. – 4:30 p.m.

1. Welcome and Introductions

The meeting was called to order at 9:00 a.m., December 19, 2013, by Chair Phil Isenberg. The following members were present: Hank Nordhoff, Randy Fiorini, Phil Isenberg and Larry Ruhstaller. Without objection the Council recessed into Closed Session.

3. Closed Executive Session – Litigation: (Not open to the public) (Government Code §1126 (e)(2)(a), (e)(2)(B)(i)) (Action Item)

Lawsuits: San Luis and Delta Mendota Water Authority/Westlands vs. Delta Stewardship Council

North Coast Rivers Alliance vs. Delta Stewardship Council

City of Stockton vs. Delta Stewardship Council

State Water Contractors/Metropolitan Water District of Southern California vs. Delta Stewardship Council

Friends of the River, et al vs. Delta Stewardship Council

Save the California Delta Alliance vs. Delta Stewardship Council

Central Delta Water Agency, et al vs. Delta Stewardship Council

Closed Executive Session – Personnel Matter: (Not Open to the Public) (Government Code §1126 (a)(1)) (Action Item)

The Closed Session of the Delta Stewardship Council convened at 9:04 a.m., with Chair Phil Isenberg presiding.

4. Reconvene Open Session

The Closed session adjourned at 9:27 a.m. and the Open Session of the Delta Stewardship Council reconvened at 9:33 a.m., with no announcements made.

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

Roll call was taken and a quorum established at 9:42 a.m. The following members were present: Patrick Johnston, Frank Damrell, Randy Fiorini, Phil Isenberg, Hank Nordhoff and Larry Ruhstaller. Absent: Gloria Gray

5. Chair's Report

Chair Isenberg announced the Department of Water Resources' Drought Task Force held its first meeting in Fresno on December 18. The Task Force was a result of the request of the San Joaquin Valley legislators and members of Congress to do something to solve the low water deliveries expected from both the State Water Project and the federal Central Valley Project.

Chair Isenberg also informed the Council that the Legislature is out of session and will return in early January.

6. Executive Officer's Report

Mr. Knopp announced the Council had hired a new environmental scientist, Daniel Huang. Mr. Huang will begin work with the Council on December 31.

Other ongoing efforts by Council staff include providing comments to the State Water Resources Control Board on its groundwater concept paper. The Board's Groundwater Workplan Concept Paper emphasized groundwater quality and the Council's comments asked them to address quantity issues as well. The comment letter is posted on the Council website at <http://deltacouncil.ca.gov/sites/default/files/documents/files/DSC%20comments%20on%20SWRCB%20Groundwater%20Concept%20paper%20Dec%202013.pdf> . Council staff also provided comments to the Department of Water Resources on its State Water Plan. Mr. Knopp stated those comments were conveyed in verbal discussions between Council and DWR. Chair Isenberg asked Mr. Knopp, to devise a system so that when staff provides comments they are emailed to Council members at the same time they are transmitted to the agencies as it is very important for the Council members to be informed of the Council's position on issues at the earliest time.

Mr. Knopp briefed the Council on highlights of the ACWA Conference. Mr. Knopp stated groundwater and subsidence issues were themes that were reiterated throughout the conference. Mr. Knopp reported on a comment he heard that subsidence in the Central Valley has produced the single largest change to the face of earth by mankind. Another topic Mr. Knopp found interesting and one he stated has received little attention was looking at the upper watershed and managing the forests to retain the snowpack longer, given climate change and the need to increase the resiliency of the forests. Mr. Knopp stated the idea of thinning the forests to retain old growth species and increase the spacing between trees, which retains snow longer, has multiple benefits to the environment, society, and to water users downstream. Mr. Knopp stated the Council is investigating the science aspects of this issue.

Mr. Knopp stated Council staff has met with agencies that are developing the South Sacramento Habitat Conservation Plan, to discuss issues in this HCP's draft environmental impact statement and to encourage early consultation. Council staff has

met with representatives from Yolo and Solano counties about MOUs to discuss working in partnership on issues to ensure consistency of their HCP/NCCP with the Delta Plan. Mr. Knopp made brief comments on the efforts underway by Woodland and Davis to replace an old water intake on Conaway Ranch. This is important because Woodland and Davis have purchased water rights from the ranch that they will be able to use with the new intakes in place. Mr. Knopp discussed the completion of a seepage cutoff wall for a new setback levee on the Sacramento River in West Sacramento by the Army Corps of Engineer. The setback levee improves flood resilience by providing more space for water to spread out on the flood plain and provides habitat. The Bureau of Reclamation released a report that details methods and costs of increasing storage capacity of San Luis Reservoir. Mr. Knopp also reported on the creation of DWR's Drought Task Force. DWR and BOR are working to expedite water transfers in response to the third dry year.

At the conclusion of the Executive Officer's Report the Council took a five minute recess to resolve the issues with the building's sound system that caused echo and delay. The problem was corrected and the Council meeting resumed at 10:17 a.m.

7. Lead Scientist's Report

The Lead Scientist's Report was presented by Dr. Peter Goodwin. Dr. Goodwin stated he attended the American Geophysical Union meeting that was held in San Francisco last week and he was impressed with the high profile of Bay Delta science that was presented in those sessions.

Dr. Goodwin's report highlighted the December 2013 issues of the *San Francisco Estuary and Watershed Science*. Three articles were of note – an article by Dr. William Fleenor and Dr. Fabian Bombardelli introducing a simplified Delta network model that performs quick multi-year simulations of sea level rise; a modeling study by Dr. Wim Kimmerer of the low-salinity zone as an indicator of fish habitat; and an article by Dr. Michael Mohr and D. William Satterthwaite that examined the accuracy of Chinook salmon carcass surveys, a primary tool for counting returning adult salmon.

Dr. Goodwin updated the Council on an independent science panel the Delta Science Program's hosting on the BDCP Effects Analysis. The panel's initial briefing was on December 18 and the panel will meet again January 28-29, 2014. Dr. Goodwin explained how the independent science panel is selected and the criteria used for choosing the panel members and creating a balanced panel.

Dr. Goodwin made brief comments on the Delta Science Program's fourth Long-term Operations Biological Opinions Review as required by the National Marine Fisheries Service's Reasonable and Prudent Alternatives. The workshop reviewed operations of the Central Valley Project and the State Water Project in water year 2013.

At the conclusion of Dr. Goodwin's remarks, Sam Harader presented *By the Numbers*, a summary of current numbers related to Delta water and environmental management.

By the Numbers was handed out the Council members and has been posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item%207_Attach_2.pdf

Throughout the presentation of Item 7, Dr. Goodwin heard Council members' comments, answered questions and provided clarification.

Following the discussions of the Lead Scientist's Report, Chair Isenberg asked if there were any members of the public who wished to comment. There were none.

8. Adoption of the November 21-22, 2013 Meeting Summary (Action Item)

Chair Isenberg asked if there were any questions, suggestions or comments from the Council or public regarding the November 21-22, 2013 meeting summary. Chair Isenberg requested the following corrections: reflect Hank Nordhoff's attendance on the second day of the Council meeting and change the sentence in the Chair's report (page two) to read that efforts will begin **immediately** on the levee investment strategy and will be **completed** by the end of 2014.

The video showing this action can be found at:

<http://dsc.videosscc.com/archives/121913/> Agenda Item 8. Archive Segment Number 5 of 18 at 00:06.

The revised meeting summary is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Revised_Meeting_Summary_Item_8.pdf

Motion: (Offered by Nordhoff; seconded by Damrell) to approve the November 21-22, 2013, meeting summary as amended.

Vote: (5/0: Damrell, Ruhstaller, Fiorini, Isenberg, Nordhoff) and the motion was adopted.

The video showing this vote can be found at: <http://dsc.videosscc.com/archives/121913/> Agenda Item 8. Archive Segment Number 5 of 18 at 00:47.

9. Update on Delta Plan Interagency Implementation Committee Development (Action Item)

Agenda Item 9 was presented by Taryn Ravazzini. Council member Fiorini provided a brief introduction and stated at the last meeting changes to the charge and the core membership makeup were requested by the Council and the documents provided today reflected those changes. Ms. Ravazzini noted the inclusion of the revisions to the charge and the core membership of the Delta Plan Interagency Implementation Committee and briefed the Council on the staff recommendation. Ms. Ravazzini stated staff was recommending the Council endorse the revised charge; affirm core

membership (15 representatives) of the DPIIC as provided, and grant the DPIIC Chair, in consultation with the core members, discretion to add to the core membership as necessary and appropriate.

Council member Fiorini stated he felt the logical timing for the meetings should be on a hydrologic cycle, the first held in March or April, after the snow surveys are conducted and the available water supply for the upcoming year are known, then again in September, at the end of the irrigation year where the amount of water to be carried over is known. Ms. Ravazzini stated the Council would be provided with monthly updates and she also discussed other means of reporting on the DPIIC. Ms. Ravazzini discussed the charge explaining the draft charge was intended to provide the foundation for a committee structure that will best support interagency collaboration.

Council member Fiorini suggested the Council adopt the charge in one motion and then move to adopt the core membership of the DPIIC in a second motion.

The video showing this action can be found at:

<http://dsc.videoss.com/archives/121913/> Agenda Item 9 Index 1. Archive Segment Number 6 of 18 at 11:19.

Council member Nordhoff suggested adding language to the first paragraph of the Charge so it reads as follows: “The Delta Plan Interagency Implementation Committee (DPIIC) will serve as a forum to discuss, consider and orchestrate the timely and order implementation of actions consistent with the policies and recommendations outlined in the Delta Plan **and more specifically with the annual priorities set by the Council.**”

The video showing this action can be found at:

<http://dsc.videoss.com/archives/121913/> Agenda Item 9 Index 1. Archive Segment Number 6 of 18 at 15:25.

Throughout the discussions of the Delta Plan Interagency Committee’s charge, Ms. Ravazzini and Council member Fiorini provided clarification and answered Council members’ questions and heard comments. Chair Isenberg asked if there were any members of the public who wished to comment. There were none.

Motion: (Offered by Fiorini and seconded by Ruhstaller) to approve the charge with the inclusion of Council member Nordhoff’s language.

Vote: (6/0: Johnston, Nordhoff, Damrell, Ruhstaller, Isenberg, Fiorini) and the motion was adopted.

The video showing this vote can be found at: <http://dsc.videoss.com/archives/121913/> Agenda Item 9 Index 1. Archive Segment Number 6 of 18 at 16:09.

Next, Ms. Ravazzini and Council member Fiorini briefed the Council on the recommended core membership of the DPIIC. Ms. Ravazzini stated as discussed at

the November meeting, there is a need to identify a smaller, more manageable core membership within the Committee. Ms. Ravazzini stated after affirming the core membership, flexibility would be needed as issues the committee is involved in may require more or less involvement depending what those issues are. Staff would recommend granting the DPIIC Chair, in consultation with the core members, discretion to add to the membership as necessary and appropriate to achieve successes and effectiveness. Ms. Ravazzini also explained the criteria staff used in determining the 16 agencies that are identified as essential to the implementation of the 73 Delta Plan recommendations and the need for the membership to be “decision-makers”.

Council member Ruhstaller stated he felt the Delta water agencies should be directly represented on the DPIIC not just through the Delta Protection Commission.

Motion: Council member Fiorini suggested the Council approve the core membership of the DPIIC with the addition of including the Central Valley Flood Protection Board to the core membership.

The video showing this action can be found at:

<http://dsc.videosscc.com/archives/121913/> Agenda Item 9 Index 1. Archive Segment Number 6 of 18 at 23:08.

Throughout the discussions of the Delta Plan Interagency Committee’s core membership, Ms. Ravazzini and Council member Fiorini provided clarification and answered Council members’ questions and heard comments. Chair Isenberg asked if there were any members of the public who wished to comment.

Public Comment – Agenda Item 9 DPIIC Recommended Core Membership:

Melinda Terry, Central Valley Flood Control Association, said she appreciates the addition of the Central Valley Flood Protection Board as they are in charge of the State Plan of Flood Control facilities. Ms. Terry explained the Paterno lawsuit and why the state lost the suit. She stated the Central Valley Flood Protection Board is responsible for those facilities. Ms. Terry urged local participation on the DPIIC such as the reclamation districts on the DPIIC.

Doug Brown, Delta Counties Coalition, said he was concerned with the membership of the DPIIC as he couldn’t find a single local agency included. Mr. Brown said he does not feel the Delta Protection Commission is an adequate representation of the local agencies and that the way it looks to him is an entity made up of federal and state agencies representing the Delta. Mr. Brown stated he felt that not having local representation sends the wrong message and is not a good way to start off. Mr. Brown stated he remains frustrated on this issue.

Tom Zuckerman, Central Delta Water Agency, stated not having local representation was not a new issue. Mr. Zuckerman said he agreed with Council member Ruhstaller in

that there is a lot of expertise in the Delta that is not being taken advantage of, and not including the local viewpoint in these matters is troublesome to him.

Karen Medders, Delta resident, said she felt the DPIIC was “top down” and will pass edicts. She stated when the Delta Reform Act was created Delta representation was left out of the room and when Delta representation was finally allowed, they were only allowed one representative (Assembly member Barryhill). Ms. Medders said she believed it was a willful and malicious act. Ms. Medders stated the Delta Reform Act is not a representative law and the residents of the Delta are the ones who have to live with edicts that affect their lives, homes, and jobs. Ms. Medders stated she was frustrated by coming to meetings and commenting only to be belittled. She stated that we will not be able to get anywhere without the locals. Ms. Medders felt that pumping the water out of the system has created the problems we have today. Ms. Medders stated unless flows are established, contracts honored and area of origin laws are honored the documents are nothing more than cut and paste jobs.

Substitute Motion: (Offered by Ruhstaller) to add a Delta water agency member (one member chosen from the North, Central, and South Delta Water Agencies and rotated) included in the DPIIC membership. No second to Council member Ruhstaller’s motion was offered and the Council chose not to bring the substitute motion to a vote.

The video showing this action can be found at <http://dsc.videosscc.com/archives/121913/> Agenda Item 9 Index 6. Archive Segment Number 11 of 18 at 00:21.

Vote on Original Motion: (previously offered by Fiorini; seconded by Johnston) (6/0: Johnston, Damrell, Ruhstaller, Fiorini, Isenberg, Nordhoff) and the motion was adopted.

The video showing this vote can be found at: http://dsc.videosscc.com/archives/121913 Agenda Item 9 Index 6. Archive Segment Number 11 of 18 at 09:31.

Council member Fiorini stated there was one last item to be addressed – granting limited authority to the DPIIC Chair, in consultation with the core members, discretion to add to the core membership as necessary and appropriate to achieve success and effectiveness. Ms. Ravazzini stated the need to give the DPIIC Chair this authority and gave examples that would give the DPIIC flexibility. Any changes would be brought to the Council for discussion. Council member Fiorini stated if a change in core membership is necessary and appropriate, the DPIIC Chair will bring any issues with adding or subtracting to the Council for approval.

Motion: (Offered by Fiorini; seconded by Damrell) to grant the DPIIC Chair, in consultation with the core members, discretion to appoint workgroups, subcommittees and advisory groups, as needed. The DPIIC Chair will inform the Council of these appointments/changes.

Vote: (6/0: Johnston, Damrell, Ruhstaller, Fiorini, Isenberg, Nordhoff) and the motion was adopted.

The video showing this vote can be found at [http://dsc.videosscc.com/archives/121913/Agenda Item 9 Index 6](http://dsc.videosscc.com/archives/121913/Agenda%20Item%209%20Index%206). Archive Segment Number 11 of 18 at 15:53.

At the conclusion of Agenda Item 9, the Council recessed for lunch at 11:50 a.m., resuming the Council meeting at 12:50 p.m.

10. Funding Priorities for State Investments in Delta Levees (Action Item)

Agenda Item 10 was presented by Cindy Messer. Ms. Messer was joined by Dan Ray, Dave Mraz and Gail Newton of the Department of Water Resources. Ms. Messer began with a point of clarification, noting that Attachment 2, included in the members' binders is a previously adopted resolution from May of 2013 and was provided for information only. Ms. Messer stated her staff is focused on levee prioritization but are also mindful of the other activities, efforts, and requirements going on in the Delta to reduce flood risks for property, people and state risks. Ms. Messer stated the levee prioritization is only one element of the more comprehensive strategic approach to reducing flood risks in the Delta. Staff is tracking activities in the Delta, providing comments as reports are released and engaging with partner agencies. Ms. Messer briefly described some of the activities in which staff is involved.

Ms. Messer explained the agreement is required by the DSC to secure funding to conduct the work needed to update funding priorities for state investments in levees. The full-term of the contract is three years and all work paid for under this agreement will be related to the investment prioritization task. Currently, the DSC does not have adequate resources in its budget to complete this statutory requirement and is entering into a partnership with DWR to secure additional funding. A portion of the funding from the IA will be used to secure the services of consultants to assist the DSC staff with completing the work. Consultant services are required in order to bring a full range of expertise on levee engineering, flood risk management, benefit/cost assessments, flood damage reduction and assessment, and life risk analyses to this project. A competitive bidding process will begin in January 2014 to secure the consultants.

Mr. Ray stated there is a lot of information on the assessment of the levees that DWR has gathered but our challenge is evaluating assets on the islands the levees are protecting and working with Delta residents, who are also going to be very interested in this effort. Dave Mraz briefed the Council on the Department of Water Resources activities to gather information on levee conditions. Mr. Mraz described the DRMS analysis, which was based on the best information available. Since that time, the levees have been improved but the one thing that hasn't been addressed is the seismic load. Mr. Mraz was in agreement with selecting consultants among various areas of expertise and felt the agreement in front of the Council would not limit that approach.

Throughout the discussion of the interagency agreement, Ms. Messer, Mr. Ray and Mr. Mraz answered Council members' questions, provided clarification and heard their comments. Chair Isenberg asked if there were any members of the public who wished to comment on the interagency agreement. There were none.

Original Motion: (Offered by Johnston; seconded by Fiorini) to authorize the Executive Officer to approve an interagency agreement between the Delta Stewardship Council and the Department of Water Resources for work related to updating funding priorities for state investments in Delta levees.

The video showing this action can be found at <http://dsc.videosscc.com/archives/121913/> Agenda Item 10. Archive Segment Number 12 of 18 at 15:32.

At the point of voting on the original motion, Council member Nordhoff stated he liked the proviso "that not one overall general contractor and adding in the experts in the individual areas to be evaluated will be chosen" and if that was not added he would abstain or vote negatively on the original motion.

Chris Knopp and Dr. Goodwin gave their perspectives on the proposal. Ms. Messer and Mr. Ray clarified the proposal and the contracting process and timing delays that may occur. Ms. Newton stated contracting in the state system is not quick and three separate contracts will be more work for staff but they are ready to support staff as needed.

Substitute Motion: (Offered by Nordhoff; seconded by Ruhstaller) approve an interagency agreement between the Delta Stewardship Council and the Department of Water Resources for work related to updating funding priorities for state investments in Delta levees. Council staff will make every effort to ensure, through the RFP process, that the different areas of the investigation and evaluation are undertaken by leading experts in that field.

The video showing this action can be found at <http://dsc.videosscc.com/archives/121913/> Agenda Item 10. Archive Segment Number 12 of 18 at 19:55 and 25:25.

Chair Isenberg asked Council member Johnston if he was agreeable to the substitute motion offered by Council member Nordhoff. At this point the Council engaged in a discussion attempting to reconcile Council member Nordhoff's concerns with the original motion and staff's suggested approach.

After the Council reached conceptual agreement, the Council asked Mr. Knopp to clarify the agreed-upon approach. Mr. Knopp recapped as follows: "What we settled on is we want the very best people for each subject area of this proposal. We wanted to select those people and have approval authority for them and ensure that they are in fact the ones doing the job. We will have to restructure the bidding so that we can accomplish that with our contracting. So I think the motion is basically that we separate this into

subject areas with the proviso that we are achieving the highest caliber individuals we can for each subject area and that is at our discretion not at the contractors”.

The video showing this can be found at <http://dsc.videosscc.com/archives/121913/> Agenda Item 10. Archive Segment Number 12 of 18 at 25:32.

Council member Nordhoff agreed with Mr. Knopp’s characterization. Chair Isenberg stated his preference would be to direct staff to consider including, in a master contract, language which gives the Council the approval right not the veto right, as opposed to mandating four contracts with different subject areas.

Chair Isenberg requested if the original motion is accepted, there will be instructions to staff to summarize the discussion and reflect in the meeting summary the general statements Mr. Knopp made on how the contract will be conducted and that the composition of the selection committee will include named individuals or entities of comparable levels of expertise and talent.

Council member Nordhoff agreed with both Mr. Knopp and Chair Isenberg’s characterization and consequently withdrew his substitute motion.

The video showing this action can be found at <http://dsc.videosscc.com/archives/121913/> Agenda Item 10. Archive Segment Number 12 of 18 at 38:13 – 39:39.

Vote on the Original Motion: *(with the instruction described above)*

(5/0: Nordhoff, Fiorini, Ruhstaller, Johnston, Isenberg) and the amended original motion was adopted.

The video showing this vote can be found at <http://dsc.videosscc.com/archives/121913/> Agenda Item 10. Archive Segment Number 12 of 18 at 39:51.

11. Year in Review

Agenda Item 11 was presented by Chris Knopp. Mr. Knopp gave the Council an overview of 2013, which was a transitional year for the Council. It marked the completion of a long-term management plan for the Delta in May and approval of its regulations by the Office of Administrative Law in August (effective September 1). Over the past three months, the Council has begun the transformation from a planning agency to one also dedicated to oversight and coordination of the Delta Plan’s implementation. Mr. Knopp briefly discussed the responses to the directives of the Delta Reform Act and the accomplishments of the Council over the past year. Achievements under the Delta Reform Act included the adoption of the Delta Plan; completion of the State Water Resources Control Board’s Flow Criteria report; development of the Economic Sustainability Plan by the Delta Protection Commission; the development of a Strategic Plan developed by the Delta Conservancy; adoption of the Central Valley Flood Protection Plan; and release of the draft Bay Delta Conservation Plan.

Next, actions undertaken by the Council on Delta Plan implementation were described by Mr. Knopp, Dr. Goodwin and Dan Ray. Mr. Knopp briefly described the efforts to establish the Delta Plan Interagency Implementation Committee and the process developed to deal with certifications and possible appeals, online forms for consistency determinations as well as a training program for state, regional and local agencies. Dr. Goodwin described the completion of the Delta Science Plan; conducting workshops to understand and synthesize the state of knowledge around the stressor impacts and multiple stressors; development of the Restoration Framework, working with the Delta Conservancy; in order to monitor the effect the Science Plan impacts on the Delta, updating the State of the Bay-Delta Science report, including hosting the biennial Delta Science Conference. Mr. Ray described efforts such as preparing a series of issue papers to build support for recommendations moving longstanding issues to resolution. The first was an issue paper on increasing water storage; collaboration on the California Water Plan Update, drafting Delta-oriented objectives for the Water Plan to implement recommendations from the Delta Plan; an independent science review of the BDCP Effects Analysis; developing an interagency agreement to fund the tasks necessary to recommend priorities for levee improvements initiating the process to pursue federal approval of the Delta Plan as part of California's Coastal Zone Management Plan; and an internal approach for organizing, tracking, refining and reporting on performance measures in the delta Plan, developed by staff.

12. Year Ahead (Information Item)

Mr. Knopp began Agenda Item 12, Priorities for 2014 by stating the Council's new role includes five primary items – coordination; integration among agencies; ensuring consistency with the Delta Plan; having science provide the information that can be used to inform policy; providing comments, including comments on BDCP; and providing accountability.

Mr. Knopp stated the Delta Plan had 14 policies and 73 recommendations and of those the focus is on 25% of them for the year. Mr. Knopp stated the key issues include the Levee Assessment Program; getting the Delta Interagency Implementation Committee up and functioning; and providing science to support the SWRCB's flow objectives, etc and getting the Science Action Agenda in place. However, Mr. Knopp stated he felt the Council had the time and resources to get all of the items shown in Attachment 1 accomplished. Mr. Knopp went into detail on how each of these roles might be accomplished. Mr. Knopp stated he sees the Council's role as being facilitative and to coordinate and integrate all the actions in the Delta to achieve the policies and recommendations. Council member Fiorini added emergency preparedness and response and coordination and planning to Mr. Knopp's list of key issues/priorities. Council member Nordhoff requested the priorities be prioritized. Council member Fiorini stated he felt the priorities should serve as a roadmap for the coming year and requested at every meeting, Council staff should provide a formal report on the progress of the goals and priorities. Council member Nordhoff also requested a timeline on the

top three priorities (activity, who responsible, and when the subpart of the activity will completed) in order to monitor the priorities on a monthly basis.

Throughout the discussions of the priorities for 2014, Mr. Knopp, Mr. Ray and Dr. Goodwin provided clarification and answered Council members' questions and heard comments. Chair Isenberg asked if there were any members of the public who wished to comment.

Following Agenda Item 12, without Council objection, Agenda Item 14, Bay Delta Conservation Plan – Impacts in the Delta, was taken out of order and heard next.

14. Bay Delta Conservation Plan (Information Item)

Agenda Item 14 was introduced by Dan Ray. Mr. Ray began by stating the Natural Resources Agency and the Department of Water Resources released the final draft of the BDCP and its draft EIR/S on December 9. This information item is the fourth of several presented to the Council, is provided in anticipation of the Council's review and comment on these documents in the spring 2014.

Mr. Ray was joined by DWR Chief Deputy Director Laura King Moon, and DWR's Cassandra Enos, and the EIR consultant, Steve Centerwall. Ms. Moon provided an overview of BDCP's environmental impacts in the Delta, especially its effects on the Delta's unique agricultural, recreational, natural resources and cultural values. Ms. Enos discussed mitigating effects of BDCP, stating there were a lot of impacts of the project, 615 categories of impacts with 50 being identified as significant and unavoidable, however not all are in the Delta. Ms. Enos pointed out there were also benefits to the community such as additional construction employment and ecosystem benefits. Mr. Centerwall gave an overview of some of the in-Delta effects that could affect the Delta, mainly construction effects and where the construction activity will occur. Mr. Centerwall presented a PowerPoint that is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_14_Attach_1_2.pdf

Throughout the discussions of the Bay Delta Conservation Plan, Mr. Ray and the panel members provided clarification and answered Council members' questions and heard comments. Chair Isenberg asked if there were any members of the public who wished to comment.

Public Comment – Agenda Item 14:

Burt Wilson, Public Water News Service, asked where the consultants would be without the word mitigate – and asked Council member Damrell if that was transparency to him. Mr. Wilson stated he was going to comment on one thing – air quality – stating they slipped over it just as silkily as any consultant will do. Mr. Wilson stated what they are planning on doing is to transfer bad air quality units with San Francisco's air quality district's good units thinking that will mitigate but it will mitigate it in only their consciences. The people working on the construction will still be breathing toxic fumes.

Mr. Wilson stated going through with the BDCP and buying into it, will be the flop of the lifetime. Mr. Wilson stated you couldn't ask people to go in without gas masks and work in toxic fumes and say it's OK by trading with San Francisco.

Melinda Terry, Central Valley Flood Control Association and North Delta Water Agency, said she appreciated the presentation but when looking at the Delta Reform Act and the Council's statutory obligations – water quality is one of them. Throughout Ms. Terry's comments she discussed the negative impacts that will affect residents, landowners and property values and the issue of discretionary mitigation. Ms. Terry stated that some of the unavoidable impacts that are in the Plan – there were six affecting water quality – that will affect agriculture and municipal intakes. Ms. Terry gave examples of several impacts such as noise from pumping and pile driving, air quality, etc. Ms. Terry used agriculture as one example, and stated the mitigation that is mentioned is easements and much of the agricultural areas are already protected from development. Ms. Terry gave other examples of unique things in the Delta – such as the peat and explained the benefits to agriculture because of the peat, peat soils require passive watering but the impacts of dewatering may change agricultural watering practices, making mitigation insufficient. Ms. Terry gave more examples of the unavoidable negative impacts and stated from flood standpoint, she needs to know where dewatering may occur. Ms. Terry also talked about abandonment of homes/businesses due to the congestion of roads related to construction. Ms. Terry also gave examples of impacts from the construction that can be found in the geology and soils chapter what addresses subsidence from dewatering and pile driving, etc. Traffic volume and pavement studies were analyzed but the roads are on levees and cannot handle the volume and weight of the vehicles that will be using them. Ms. Terry was concerned about the fish that will be affected by the reduced flows and the noise and vibration. Ms. Terry felt as a resident of the Delta that all damage that might occur should be avoided or fully mitigated. Ms. Terry also wondered if as local maintainers would the reclamation districts have land available to mitigate their levee improvement projects. Other negative impacts Ms. Terry cited included reduced and reverse flows, predation on fish, and changes in water elevations. She urged the Council to look at the Delta's unique values in terms of the agricultural resources and cultural values that occurs in high value areas, keeping in mind that the impacts appear in all the chapters and how the Delta will look after the projects and whether the mitigations are real or conditioned.

13. Tracking and Reporting on Performance Measures for the Delta Plan **(Information Item)**

Agenda Item 13 was presented by Cindy Messer, joined by John Ryan. Ms. Messer began by giving a brief overview on the status of the Delta Plan performance measures tracking project. Ms. Messer stated the project is a critical element in terms of performance management. Staff developed an internal approach for organizing, tracking, refining and reporting on performance measures in the Delta Plan. This approach will link the Delta Plan performance measures with the performance measures in Delta Science Plan that will lead to a framework that is adaptable and able to accommodate additional tracking information as it becomes available. This internal

approach is the pathway for implementing, tracking, and reporting on the Delta Plan and other performance measures in both the near and long-term. Ms. Messer explained the how CALFED program developed an data management system called the CALFED Project Performance Information System (CPPIS) to track administrative elements for Delta programs and projects. CPPIS has been a tool used by DSC to track agencies' Delta program and project details and deliver reports. The CPPIS program is being enhanced in order for staff to track and report on Delta Plan progress. The project will provide the Council with a solid foundation for launching its accountability program and will strengthen the Council's ability to inform all interested parties of the progress made on the Plan's implementation.

Council member Nordhoff stated it was one thing to complete an activity for a metric but it's another to do it in a timely manner. As some of them will be sequential, Council member Nordhoff suggested it might be interesting to prioritize them – not all but to try to do a critical path of the important ones where the achievement may lead to other good things.

The project team will soon begin to assess the Plan's outcome performance measures for strengths and weaknesses, identify how to best track the measures, provide recommendations on how to develop key quantitative metrics and finally show how the information can be shared with all the interested parties.

Throughout the discussions of the Tracking and Reporting on Performance Measures for the Delta Plan, Ms. Messer and Mr. Ryan provided clarification and answered Council members' questions and heard Council members' comments. Chair Isenberg asked if there were any members of the public who wished to comment. There were none.

15. Public Comment

Chair Isenberg asked if there were any members of the public who wished to comment. There were none.

16. Preparation for Next Council Meeting – Discuss (a) expected agenda items; (b) new work assignments for staff; (c) requests from Council members; and (e) confirm next meeting date – January 23, 2014.

The meeting adjourned at 4:02 p.m.