

DRAFT 8/7/13 – SUBJECT TO CHANGE
For Review and Adoption by the DSC at the August 22, 2013 Meeting

DELTA STEWARDSHIP COUNCIL
July 25, 2013
Sheraton Grand Sacramento Hotel
1230 J Street, Sacramento, CA 95814

MEETING SUMMARY

July 25, 2013, 9:00 a.m. – 4:30 p.m.

1. Welcome and Introductions

The meeting was called to order at 9:00 a.m., July 25, 2013, by Chair Phil Isenberg.

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

Roll call was taken and a quorum was established. The following members were present: Hank Nordhoff, Patrick Johnston, Gloria Gray, Frank C. Damrell, Randy Fiorini, Phil Isenberg and Don Nottoli.

Immediately after establishing a quorum, the Council, without objection 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

The Closed Session of the Delta Stewardship Council convened at 9:06 a.m., with Chair Phil Isenberg presiding.

4. Reconvene Open Session

The Closed Session adjourned at 10:40 a.m. and the Open Session of the Delta Stewardship Council reconvened at 10:45 a.m., with no announcements made.

5. Chair's Report

Chair Isenberg stated the legislature was still in recess and once they were back in session, he expected the usual activity. Chair Isenberg announced that at a new Consul General of the Netherlands had been appointed and the Council was expecting a visit from the new Consul General, Hugo von Meijenfeldt, shortly after 1:45 p.m. p.m.

6. Executive Officer's Report (Information Item)

Executive Officer Chris Knopp updated the Council on activities the staff was taking to implement the Delta Plan. Some of these activities include the hiring of an Implementation Coordinator and meetings held regarding the soon-to-be-formed Implementation Committee, led by Council member Fiorini and several stakeholders asking what actions can be done now related to reliability of water supply. Mr. Knopp discussed several Science Program activities, especially noting a predation workshop aimed at moving forward the policy and recommendations regarding the introduction and management of nonnative species, ER P5, ER R6, and ER R7. Mr. Knopp asked Dr. Goodwin to comment on the workshop and Adaptive Management Team actions in more detail.

Dr. Goodwin stated the predation workshop was being used as a model and a lot of effort had gone into its planning. Dr. Goodwin acknowledged the Department of Fish and Wildlife and all the different agencies and stakeholders that contributed to the planning process. The workshop was a first in a series of workshops and the goal was to understand what is known, what is being done, where the key gaps in information are, and where should we go on the key issue of predation. Dr. Goodwin did not make comments about the outcomes of the workshop as the Science Program expects a final report from the panel by September and Dr. Goodwin stated he will present the report to the Council in detail at that time.

Finally, Mr. Knopp discussed the comments that were submitted by the Council, in its role as a responsible agency, on the Bay Delta Conservation Plan's (BDCP) Administrative Draft Environmental Impact Report. The comments in general were intended to be supportive and constructive and didn't take a position on BDCP. The comments were on the consistency of the BDCP with the Delta Plan and focused on flow criteria and the analysis and operational requirements of flows as well as water quantity in the Delta as it is affected by water flows. Other comments included the evaluation and analysis of catastrophic levee failures in the Delta; sea level rise; and conservation measures and the timing of the measures. In the future the Council will be making similar Responsible Agency comments on the Shasta Dam enlargement, the Feather River levee improvements, and the San Joaquin solar facility development.

6a. Legislative Update

The Legislative Update was presented by Jessica Pearson. As Chair Isenberg stated, the legislature was currently on summer recess. The Assembly will return to session on August 5 and the Senate on August 12. Ms. Pearson updated the Council on SB 735 (Wolk) that would require Council coordination with local Delta HCPs.

Ms. Pearson informed the Council of the third in a series of hearings on BDCP that would be held on August 13 and also reported on a hearing by the Assembly Water, Parks and Wildlife Committee on a revised water bond. At the Assembly Parks and Wildlife hearing, Ms. Pearson stated Assemblymember Anthony Rendon, chair of the Committee, presented principles and categories for development of a 2014 water bond. A letter was sent on behalf of the Council expressing general support and offering to make the Council and its staff available to assist the Committee and its working group. The letter is posted on the Council website at <http://deltacouncil.ca.gov/sites/default/files/documents/files/7-12-13%20Rendon%20Congrats%20Ltr%20Bond%20Principles.pdf>

Ms. Pearson said she would end her presentation on a positive note, saying that based on revenue reports from Department of Finance, California ended the 2012-2013 fiscal year approximately \$2 billion in the black, hopefully, reversing the trend of the last few of years. Throughout the Legislative update, Ms. Pearson answered Council members' questions and provided clarification.

6b. Quarterly Contracts Report

The second Quarterly Contracts Report for April 2013 through June 2012 was included in the members' meeting materials.

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

7. Adoption of the June 27, 2013 Meeting Summary (Action Item)

Chair Isenberg asked if there were any questions, suggestions or comments from the Council or public regarding the June 27, 2013 Meeting Summary - there were none. Chair Isenberg requested one change to the meeting summary, the word "immediately" be deleted from the first sentence in Item 4 at the bottom of page one.

The amended June 27, 2013 Meeting Summary is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_7_Amended_June_27_2013_Meeting_Summary.pdf

Motion: (Offered by Nottoli; seconded by Nordhoff) to approve the June 27, 2013, meeting summary, as amended.

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

The video showing this vote can be found at: <http://dsc.videossc.com/archives/072513/> Agenda Item 7. Archive Segment Number 6 of 24 at 01:16.

8. Drought and the Delta. A Report on Dry Year Conditions and Their Impacts on the Reliability of California's Water Supplies and the Delta Ecosystem **(Information Item)**

Keith Coolidge introduced Agenda Item 8 and stated the 2013 January-May period was the driest on record since 1920 for all regions of the Sierra. These conditions have caused fears and concerns about how water supplies are balanced as these conditions have resulted in cutbacks in water deliveries from the state and federal water projects and there is also concern by the end of the summer several of the reservoirs will be at record lows. Mr. Coolidge introduced panelists, Gary Bardini, Department of Water Resources (DWR); Cindy Kao, Santa Clara Valley Water District; Marguerite Patil, Contra Costa Water District; Jason Peltier, Westlands Water District; and David Guy, Northern California Water Association who discussed what the current drought conditions mean for their agencies and what emergency measures are in place or could be triggered as well as what is being done to minimize impacts.

Mr. Bardini also explained how the cutbacks will affect water agencies south and north of the Delta as well as what DWR was doing to prepare for a potential second dry year next year. Mr. Bardini presented a PowerPoint that is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_8_Presentation_by_Gary_Bardini_California_Department_of_Water_Resources.pdf

Jason Peltier explained the impacts of the state and federal delivery reductions for agricultural users in the San Joaquin Valley.

Cindy Kao explained the impacts of state and federal delivery reductions for urban Bay Area water users. Ms. Kao presented a PowerPoint that is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_8_Presentation_by_Cindy_Kao_Santa_Clara_Valley_Water_District.pdf

David Guy explained the impacts of the drought conditions and the federal delivery reductions for the Sacramento Valley agricultural users. Mr. Guy presented a PowerPoint that is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_8_Presentation_by_David_Guy_Northern_California_Water_Association.pdf

Marguerite Patil explained the potential impacts to water quality in the western Delta and what plans were being considered if conditions persist.

Throughout the presentation of Agenda item 8, the panel answered Council members' questions and provided clarification. There were no members of the public who requested to comment on Agenda Item 8.

Following the public comment on Agenda Item 8, the Council recessed for lunch at 12:25 p.m. and resumed the meeting at 1:25 p.m.

9. Habitat Restoration Oversight Session: Getting Tidal Marsh Restoration Done and Doing it Right (Information Item)

Chief Deputy Executive Officer Dan Ray made brief introductory remarks about the Council's oversight duties and the schedule for this agenda item. Part I, Framing the Issues, was presented by Council staff Jessica Davenport and Dr. Lauren Hastings. Ms. Davenport gave an overview of the panel discussions and Dr. Hastings made brief remarks on best available science and adaptive management. Dr. John Wiens, of the Delta Independent Science Board (ISB) then led a discussion using a PowerPoint, "Doing Restoration Right: Delta ISB Habitat Restoration Recommendations". The presentation is posted on the Council website at

http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_9_Presentation_DSC%20Habitat%20Restoration%20Report%20July%202013%20v%202.pdf

Throughout the presentation, Dr. Wiens answered Council members' questions and provided clarification.

5. Continuation of Chair's Report - Remarks from Hugo von Meijenfeldt, Dutch Ministry of Infrastructure and Environment

At the conclusion of Dr. Wiens' presentation and without objection from the Council, Agenda Item 9 took a brief recess to welcome visitors from the Netherlands Consulate General in San Francisco. Bart van Bolhuis, Consul General made brief remarks and introduced Hugo von Meijenfeldt, the new Deputy Direct General at the Dutch Ministry of Infrastructure and Environment, who offered assistance and collaboration on flood control and other issues that California shares with the Netherlands.

9. Continuation of Habitat Restoration Oversight Session: Getting Tidal Marsh Restoration Done and Doing it Right

Part II of Agenda Item 9, Project Barriers and Adaptive Management, began with a panel on The Big Picture: Regional Coordination. Campbell Ingram, Delta Conservancy and Dennis McEwan, DWR, described efforts to coordinate agency activities to carry out marsh restoration activities in the Delta. Next, a panel, entitled Project Prospectives, was presented by representatives from three other agencies who described actions to restore tidal marshes. Steve Chappell, of the Suisun Resource Conservation District, gave an overview of the Suisun Marsh Plan, Dennis McEwan, DWR, described the Prospect Island Restoration Project and Patty Finfrock, DWR, described the Dutch Slough restoration project. The PowerPoint presented during Part II is posted on the Council website at

http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_9_Panel_Presentation.pdf

The last panel was the Delta Science Program's Chris Enright and Carl Wilcox, Department of Fish and Wildlife who discussed the opportunities and challenges in

restoring marshes in the Delta. Part II of Item 9 was concluded after a panel discussion with all speakers and Ms. Davenport moderating.

Throughout the presentation of Agenda Item 9, the panelists answered Council members' questions and provided clarification. Following the presentations, Chair Isenberg asked if there were any members of the public who wished to comment.

Public Comment – Agenda Item 9:

Rogene Reynolds, landowner on Roberts Island in the south Delta, showed the Council a map of RD 544, Upper Roberts Island, in San Joaquin County. Ms. Reynolds stated RD 544 is located in the south Delta and about 7,000 acres. Ms. Reynolds stated the land has been identified in Figure 4-8 of the Delta Plan as a restoration opportunity area and emphasized it is also her home. Ms. Reynolds read the letter that she submitted and it is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Reynolds_Comment.pdf Regarding today's presentation, Ms. Reynolds stated "you can't do everything" and regarding BDCP, the residents of Roberts Island object to farmland being taken out of production.

Byron Buck, State and Federal Contractors Water Agency, stated that there were a lot of activities (coordination) going on and gave examples of several restoration projects. Mr. Buck commented on the permitting process of these restoration projects and stated that there is also a willing-seller environment that creates speculation in land prices at promising restoration sites and has tied up several sites. Mr. Buck stated there were three models for accomplishing this type of activity, however only two are used - the first is the agency model, the second is a public-private partnership model, and he gave examples of both. The third model, Mr. Buck stated, hasn't been tried and is the "service-delivery model". Mr. Buck felt the third model should be implemented. Mr. Buck offered suggestions on how the Council could help with restoration projects such as coordinating a standing expert panel of Delta experts to review design and other issues. Mr. Buck stated the Regulatory Review Process for these projects is not allowing for a screening and an integrated vision on how restoration is being done and gave an example. Next, Mr. Buck suggested drawing a link between ecosystem restoration and drought panel and water supply reliability because they are linked. Mr. Buck stated the gap needed to be bridged in next ten years for a certain level of reliability that keeps money in the system to fund ecosystem restoration projects.

10. Public Comment

Linda Dorn, Sacramento Regional County Sanitation District, requested to comment on the first draft Delta Science Plan, schedule and governance. Ms. Dorn stated her agency submitted a detailed comment letter on the Delta Science Plan. Ms. Dorn requested an extension for the completion of the Delta Science Plan to the end of the year. She also urged that the science policy management team include local agencies and regulated entities. Ms. Dorn suggested using the Central Valley Drinking Water

Policy Group as an example and gave examples of successes. In conclusion Ms. Dorn urged for more stakeholder involvement in the on the science policy team.

- 11. 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 - August 22, 2013, at the Holiday Inn Capitol Plaza in Sacramento.**

The meeting adjourned at 4:36 p.m.