

DRAFT 9/2/14 – SUBJECT TO CHANGE
For Review and Adoption by the DSC at the October 30, 2014 Meeting

September 25, 2014
DELTA STEWARDSHIP COUNCIL
Park Tower Second Floor Conference Room
980 9th Street, Sacramento, CA 95814

MEETING SUMMARY

Thursday, September 25, 2014, 9:00 a.m. – 4:30 p.m.

1. Welcome and Introductions

The meeting was called to order at 9:17 a.m., September 25, 2014, by Chair Randy Fiorini.

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

Roll call was taken and a quorum established at 9:20 a.m. The following members were present: Patrick Johnston, Frank Damrell, Randy Fiorini, Phil Isenberg, Susan Tatayon, and Larry Ruhstaller. Absent: Aja Brown.

3. Chair's Report

Chair Fiorini gave a brief overview of the day, highlighting the Levee Investment Strategy and the Interim Science Action Agenda items. He discussed the meetings he was having with Delta Levee Investment Strategy stakeholders.

Chair Fiorini reported on presentations he has made at the Bay Delta Committee of Metropolitan Water District of Southern California and the Friends of the San Francisco Estuary. He said he uses opportunities such as these to highlight the Council's five priorities – flows, land use, levees, the Interim Science Action Agenda and habitat restoration.

Finally, Chair Fiorini discussed his participation in a conference he attended in Idaho, with a small delegation of water leaders from California. The conference highlighted a 27-year process that resulted in the Snake River Basin Adjudication, the largest in the West. The conference coincided with legislative debates in California regarding the oversight and accountability of California's groundwater. Chair Fiorini prepared a report that was provided to the Council members entitled, "*Managing Conflict – Lessons Learned from Idaho's Snake River Basin Adjudication*". Chair Fiorini's report is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_3_Chairs_Report_14-0923%20Managing%20conflict%20-%20Lessons%20from%20Idaho%20v2.pdf.

4. Executive Officer's Report

The Executive Officer's Report was presented by Jessica Pearson. Ms. Pearson discussed the agenda for the day, which would include two of the Council's 2014 priorities - implementation of the Science Plan and development of the Draft Delta Levee Investment Strategy issue paper. Ms. Pearson stated the Council would be presented with the Draft Interim Science Action Agenda that was released for public comment on September 9 and is an early key step for implementing the Delta Science Plan and a Draft Levee Investment Strategy issue paper that provides background on the state's past and current approaches to investing in Delta levees.

Legislative Update

Ms. Pearson made brief remarks on the following items of note: a three-bill package related to groundwater that was signed by the Governor the week before; the description of several bills that passed and will modify local urban water plans; and a description of the revised water bond that will be on the November ballot. Another item of interest Ms. Pearson discussed was the completion of phase 1 of the restoration project of the Bing Kong Tong Building in Isleton. When the Bing Kong Tong building rehabilitation is completed, it will be used as a museum and community space. Finally, Ms. Pearson announced she would be taking maternity leave from October 13 through March 1, during which time Dan Ray will act as the Executive Officer.

Legal Update

The Legal Update was presented by Chris Stevens. Before Mr. Stevens began, he complimented Chair Fiorini on the paper he prepared regarding the Snake River Basin Adjudication, stating it was highly informative and a very well done synopsis. Mr. Stevens made brief comments about the Delta Plan litigation, stating that opening briefs are due on October 15 and that the focus of the litigation team will then shift to reading the opening briefs and preparing the defense. The Council's opposing brief is due on April 6, 2015. Mr. Stevens then asked Cody Phillips, the Council's legal intern and Supervising Engineer Kevan Samsam, to update the Council on a workshop they attended at the State Water Board entitled "Central and Southern Delta Water Availability and Use". The workshop addressed allegations of illegal in-Delta water diversions. A complaint by the Bureau of Reclamation and DWR prompted the Water Board to hold the workshop to receive comments and determine the facts related to water availability and use.

5. Approval of USGS as a Member of the Delta Plan Interagency Committee (Action Item)

Agenda Item 5 was presented by the Committee coordinator, Taryn Ravazzini. Ms. Ravazzini provided background information and explained the staff recommendation for the addition of U. S. Geological Survey to the core membership of the Delta Plan Interagency Implementation Committee. Ms. Ravazzini explained how the addition of USGS would strengthen connections with the Council's federal partners and allow the Committee to better integrate the implementation of the California Water Action Plan

and the federal activities in the Delta with the ongoing implementation of the Delta Plan and the Delta Science Plan. The staff report for the approval of USGS as a member of the Delta Plan Interagency Committee is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_5_Delta_Plan_Interagency_Implementation_Committee_0.pdf.

Ms. Ravazzini heard Council members' comments and provided clarification. Chair Fiorini asked if there were any members of the public who wished to comment. There were none.

Motion: (Offered by Johnston; seconded by Isenberg) to approve the addition of USGS to the core membership of the Delta Plan Interagency Implementation Committee.

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

The video showing this vote can be found on the linked agenda at: <http://cal-span.org/cgi-bin/archive.php?player=silverlight&owner=DSC&date=2014-09-25> at 29:50.

Following the approval of USGS as a member of the Committee, Ms. Ravazzini was joined by Jeff Keay, the Deputy Regional Director of USGS Pacific Region and Michelle Shouse, also with USGS. Dr. Keay presented a PowerPoint about the research done by USGS in the Bay-Delta. Dr. Keay's presentation is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_5_Presentation_Keay_USGS%20in%20the%20Bay-Delta_Sept2014_v4_0.pdf.

Throughout Dr. Keay's presentation, he heard Council members' comments, provided clarification and answered questions.

6. Lead Scientist's Report

Peter Goodwin presented the Lead Scientist's Report. First, in regard to the addition of USGS to DPIIC, Dr. Goodwin remarked that USGS is the "gold standard" for science and data collection and their involvement would be an asset to the Committee. Dr. Goodwin reported on the writing team that was assembled following the June 5 Data Summit. The team will prepare a report that will lay out a plan for transforming how environmental data is managed in California. The writers, all of whom possess a wide range of data management expertise, submitted the first drafts of their assigned report sections through an online platform developed by the San Francisco Estuary Institute. The draft report will undergo public review and revisions over the next few months, with the final report scheduled for release in December. Next, Dr. Goodwin updated the Council on the El Nino conditions.

The staff report for the Lead Scientist's Report is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_6_Lead_Scientists_Report_0_0.pdf.

Dr. Goodwin also provided the Council members with a NOAA Report "*The California Drought of 2014: Record Hot, Record Dry*". The Report is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_6_Attach_1_NOAA_Report_0.pdf.

At the conclusion of the Lead Scientist's Report, Dr. Goodwin invited Sam Harader to the panel table to provide a summary of the current numbers related to Delta water and environmental management. *By the Numbers* is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_6_Attach_2_By_the_Numbers_0.pdf.

Throughout the discussion of Lead Scientist's Report, Dr. Goodwin heard Council members' comments, answered questions and provided clarification.

7. Delta Independent Science Board Report

The Delta Independent Science Board Report was presented by Vince Resh in Tracy Collier's absence. Dr. Resh briefed the Council on the recent activities of the Delta Independent Science Board's last two public meeting held on June 12-13 and August 1, 2014. Dr. Resh briefed the Council on: lessons learned from the Delta ISB's review of the Bay Delta Conservation Plan Draft EIR/S; a work plan the ISB created for the remainder of 2014-2015. The program reviews for the work plan include Fish and Flows, Adaptive Management, Water Quality, Delta Levees, Delta as Place and Water Supply Reliability. The work plan identified ISB members assigned to each of program reviews and Attachment 1 listed the Delta ISB members leading the each program review.

The staff report for the Delta Independent Science Board Report is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_7_Delta_ISB_Report_0_0.pdf and attachment are posted at http://deltacouncil.ca.gov/sites/default/files/2014/10/Item_7_Delta_ISB_Report_Attachment_1.pdf.

Throughout the presentation of the Delta ISB's Report, Dr. Resh heard Council members' comments, answered questions and provided clarification.

8. Adoption of August 28, 2014 Meeting Summary (Action Item)

Chair Fiorini asked if there were any questions, suggestions or comments from the Council or public regarding the August 28, 2014 meeting summary. There were none.

Motion: (Offered by Isenberg; seconded by Ruhstaller) to approve the August 28, 2014 Meeting Summary.

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

The video showing this vote can be found on the linked agenda at: <http://cal-span.org/cgi-bin/archive.php?player=silverlight&owner=DSC&date=2014-09-25> at 1:26:54.

Following the vote to approve the August Meeting Summary, the Council took a five minute recess at 10:50 and reconvened at 10:55 a. m. Without Council objection, Item 11, Presentation and Discussion of the Levee Investment Issue Paper, was heard next.

11. Presentation and Discussion of the Levee Investment Issue Paper

Agenda Item 11 was presented by Cindy Messer, joined by Mr. Ray and Dustin Jones. Ms. Messer opened the presentation and discussed the focus of the issue paper prepared by the staff. Ms. Messer went over the issue paper and gave a brief overview, described the approach to its development and described the 15 key issues highlighted in the draft paper. These issues will need consideration as the Council updates the Delta Plan's provisions regarding State investment in the Delta levees. Mr. Jones described the schedule for the draft, beginning with Council review and then a 30-day public review period ending on October 27. Mr. Jones stated at the conclusion of the review period staff will consider the comments received and revise the draft issue paper, returning it to the Council for consideration and endorsement. Mr. Jones also reported on progress made on developing a communication strategy and public outreach. Finally, Mr. Jones discussed the data compilation and review needed to complete the project. Mr. Jones stated staff is working with Department of Water Resources while ARCADIS was reviewing and organizing the data to identify adequacy of data and any existing gaps. Staff is also in contact with the Delta Protection Commission to obtain data from the Economic Sustainability Plan. Other entities will be contacted for additional information.

The staff report for the presentation and discussion of the Levee Investment Issue Paper is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_11_Delta_Levees_Investment_Strategy%20--%20dkr%20cm_KC_0.pdf.

The Draft Levee Investment Strategy Issue Paper (Attachment 1) is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/2014/10/Item%2011_Attach%201_14-0918%20Levee%20Investment%20Strategy%20Issue%20Paper.pdf.

Throughout the presentation of the levee Investment Strategy Issue Paper, Ms. Messer, Mr. Ray and Mr. Jones heard Council members' comments, answered questions and provided clarification.

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

Public Comment – Agenda Item 11:

Greg Zlotnick, San Luis Delta Mendota Water Authority, complimented the staff on the issue paper stating it was clear and informative and felt it would be very useful after it is finalized. Regarding the peer review panel, Mr. Zlotnick questioned why the charge would not be public as he was interested in the charge for the advisory groups. Mr. Zlotnick stated he would submit his comments in writing.

Melinda Terry, California Central Valley Flood Control Association, stated they haven't had a chance to read the issue paper and her comments were limited to the staff report for Item 11. Ms. Terry stated she appreciated the outreach efforts. Ms. Terry felt there were several other points to be considered such as looking at how the non-project levees function with the state levees because they should be looked at as a system. Ms. Terry commented on funding constraints for the local reclamation districts and stated they limit activities. Regarding questions 12 and 13 in the Issue Paper, Ms. Terry felt that they were unclear as to who would be responsible for those activities. Ms. Terry felt that it is fundamental for a determination of the correct baseline and suggested the staff look at the Central Valley Flood Protection Plan as well as the local reclamation districts for accurate information. Ms. Terry stated she would also submit her comments in writing.

Following Public Comment, the Council recessed for lunch at 12:10 p. m. and reconvened at 1:15 p. m., returning to Agenda Item 9.

9. Presentation of Draft Interim Science Action Agenda and Next Steps

Agenda Item 9 was presented by Dr. Goodwin, Lindsay Correa, and Sam Harader. After Dr. Goodwin's introductory remarks, Ms. Correa made brief comments on the Science Action Agenda stating it was a priority for the Delta Plan and the Delta Plan Interagency Implementation Committee. Ms. Correa stated it was posted on September 10 and the comment period will end on October 7. The Science Action Agenda is an expression of the science community and included 17 "science action areas". Following Ms. Correa's update, Mr. Harader concluded the item by discussing the schedule for the Science Action Agenda and stated the Council would receive updates in future Lead Scientist's and ISB Reports.

The staff report for the presentation of the Draft Interim Science Action Agenda and Next Steps is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_9_Presentation_of_Draft_Interim_Science_Action_Agenda_and_Next_Steps_KC_0.pdf.

The draft Interim Science Action Agenda (Attachment 1) is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_9_Attach_1_Draft_Interim_Science_Action_Agenda_0.pdf.

Throughout the discussion of the draft Interim Science Action Agenda and next steps, Dr. Goodwin, Ms. Correa, and Mr. Harader heard Council members' comments, answered questions and provided clarification.

10. Preview of the 8th Biennial Bay-Delta Science Conference: Making Connections

Marina Brand presented Agenda Item 10, *Preview of the 8th Biennial Bay-Delta Science Conference: Making Connections*. The Conference brochure was provided to the Council members as a handout and is posted on the Council website at <http://scienceconf2014.deltacouncil.ca.gov/about-conference>.

The 8th Biennial Bay-Delta Science Conference is scheduled on October 28-30, 2014, at the Sacramento Convention Center. Ms. Brand highlighted the activities of the conference including talks presented by Delta Stewardship Council staff and other sessions and activities of interest to the Council. The staff report for the Preview of the Bay-Delta Science Conference is posted on the Council website at http://deltacouncil.ca.gov/sites/default/files/documents/files/Item_10_Preview_of_8th_Biennial_Bay_Delta_Science_Conference_Making_Connections%20%28v2%29_0.pdf.

12. Public Comment

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

Greg Zlotnick, San Luis Delta Mendota Water Authority, requested to comment on Agenda Item 9, the Draft Science Action Agenda. Mr. Zlotnick acknowledged the work that went into the draft but stated he had concerns such as who was setting the priorities for it and since it was a compilation of what agencies are doing, asked if that work matched the priorities. Regarding "management relevance", Mr. Zlotnick felt that area was unclear. He also asked what the role of the Implementation Committee was regarding the Science Action Agenda. Mr. Zlotnick also asked if the process was going to reflect priorities that make sense to the policy makers – specifically, a priority should be to look at water use efficiency, and water conservation. Mr. Zlotnick also stated that issues related to Delta as Place may not be appropriate for the Delta Science Plan. Mr. Zlotnick stated he would also submit his comments in writing.

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

13. 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 – October 30, 2014.

The meeting adjourned at 2:10 p. m.