

DRAFT 6/30/16 - SUBJECT TO CHANGE
For Review and Adoption by the Council at the July 28, 2016 Meeting

Thursday, June 23, 2016
DELTA STEWARDSHIP COUNCIL
Park Tower Plaza – 2nd Floor Conference Center
980 Ninth Street, Sacramento, CA 95814

MEETING SUMMARY

1. Welcome and Introductions

The meeting was called to order at 9:05 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 9:05 a.m. The following members were present: Patrick Johnston, Frank Damrell, Randy Fiorini, Ken Weinberg, Susan Tatayon and Mary Piepho. After roll call, the Council recessed at 9:05 a.m. for the Closed Executive Session. Council member Aja Brown arrived after roll call.

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 9:11 a.m. and adjourned at 9:30 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 9:40 a.m. Chair Fiorini announced that no action was taken during Closed Executive Session.

5. Adoption of the May 26, 2016, Meeting Summary (Action Item)

Chair Fiorini asked if there were any questions, suggestions, or comments from the Council or public regarding the May 26, 2016, meeting summary; there were none.

Motion: (Offered by Piepho, seconded by Damrell) to approve the May 26, 2016, meeting summary.

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

The video showing this motion and vote can be found on the linked agenda at <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2016-06-23&player=jwplayer> at 3:30.

6. Chair's Report

Chair Fiorini did not provide a Chair's Report and moved directly to Agenda Item 7, Executive Officer's Report.

7. Executive Officer's Report

Executive Officer Jessica Pearson noted that a landmark \$12 annual parcel tax to fund wetlands restoration and flood control projects around San Francisco Bay's shoreline. The measure, which will raise \$25 million a year for 20 years, needed two-thirds support to pass and had nearly 70 percent in favor across all nine Bay Area counties, including Alameda and Contra Costa counties. The largest funding measure ever approved in the Bay area, the measure will provide a dedicated local source of funding to help mitigate the effects of sea level rise by restoring thousands of acres of tidal marshlands around the Bay. The amount represents approximately one-third of what is estimated to be a \$1.5 billion total. It may benefit some projects that are on the border of the Bay and Delta such as Dutch Slough in Contra Costa County.

Ms. Pearson also noted that the Public Policy Institute of California (PPIC) recently examined statewide spending to date from Proposition 1 (Prop.1), the \$7.5 billion water bond measure passed by voters in November 2014. The report highlights the competitive pressures to spend money quickly and develop quality projects, which is a balance between the desire to get projects funded and the need to get the right projects funded in the right way. More information can be found on the PPIC's website at http://www.ppic.org/main/blog_detail.asp?i=2075.

Ms. Pearson highlighted letters sent by Council staff to help shape Prop. 1 grant guidelines in accordance with the Delta Plan. The Department of Fish and Wildlife (DFW) and the Delta Conservancy have implemented some of these suggestions to encourage projects that implement or are consistent with the Delta Plan and the Delta Plan Interagency Implementation Committee's high-impact science action list.

Ms. Pearson reported that the California Water Commission (CWC) is in the final stages of developing regulations for the Prop. 1 funding they will distribute. CWC will address the Council during Agenda Item 9, and discuss its process for awarding a significant amount of the bond money.

Ms. Pearson said the El Niño storms provided the Sierra with nearly normal amounts of snow this winter and many had hoped to put another drought year behind them. According to the latest water supply estimates and projections by climatologists, however, the high-country snowmelt was earlier this year and was less than normal. This is a reminder of the growing challenges of operating a water supply system built around a rapidly changing hydrograph and of trying to find the right balance between

providing water for human uses and enough water at the right time and temperature to protect fish populations.

Ms. Pearson reported on two federal plans under consideration to help prevent extinction of two endangered fish species. One plan would hold back scheduled releases from Shasta Dam until later in the year when the colder water from the deep dam could benefit juvenile winter-run Chinook salmon making their annual return to spawning grounds below the dam. The second plan would make releases from other dams in the Central Valley Project (CVP), providing more water flow to the ocean through the Delta this summer in hopes of protecting delta smelt. Both plans, however, would include a reduction in the water supply allocation for CVP farmers south of the Delta.

Ms. Pearson said the Council would hear from the Department of Water Resources (DWR) about a study DWR has been working on to examine how re-operating the water storage system might offer some opportunities to better achieve the balancing act that is becoming the new normal in California.

Fliers for the Delta Conservation Framework were provided to Council members and the public. DFW is leading an interagency effort to develop a high-level, twenty-five year conservation framework for the Delta, designed to compile and integrate strategies and actions intended to improve the Delta ecosystem into a single combined document. Jessica Davenport is the Council's contact for any questions on this effort.

Ms. Pearson briefed the Council on coordination efforts at the staff level for a joint workshop between the Council and the Central Valley Flood Protection Board (CVFPB). Ms. Pearson noted the Delta Reform Act requires coordination with the CVFPB as the Council prepares recommendations about State investment priorities for Delta levees. As that process moves forward, Chair Fiorini and CVFPB Chair Bill Edgar think it is important to coordinate at the Board level as well. Ms. Pearson asked Council members to save the date for this workshop: August 12 from 10-3:30 at the West Sacramento City Hall Galleria.

Ms. Pearson brought to the Council's attention two comment letters sent by staff. The first letter regarding the Council's comments on the Notice of Preparation of a Draft Environmental Impact Report for the Liberty Specific Plan, SCH# 2016052012, was sent to Justin Hardy of the City of West Sacramento. The comment letter is posted on the Council's website at http://www.deltacouncil.ca.gov/sites/default/files/2016/06/WestSac_LibertySpecificPlan_NOP_DSCcomments_06.01.2016.pdf. The second letter contained the Council's comments on Notice of Preparation of a Draft Environmental Impact Report for the Plan Bay Area 2040 Regional Transportation Plan/Sustainable Communities Strategy, SCH# 2016052041, was sent to Adam Noelting of the Metropolitan Transportation Commission. The comment letter is posted on the Council's website at http://www.deltacouncil.ca.gov/sites/default/files/2016/06/PlanBayArea2040_NOP_DSCcomments_06%2015%202016.pdf.

Ms. Pearson welcomed new staff member Scott Brandl, who will be working as a Senior Environmental Scientist with the Delta Science Program. Ms. Pearson also welcomed Erica Niemann, who is starting in Administration as the Council's new receptionist.

7a. Legal Update

Ms. Pearson invited Chief Counsel Chris Stevens to provide the Legal Update. Mr. Stevens introduced Rebecca Mills, who presented the Legal Update which is posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7a-legal-update>.

At the conclusion of Ms. Mills' update, Chair Fiorini asked if there were any questions from the Council or members of the public who wished to comment; there were none.

7b. Legislative Update

Ms. Pearson invited Ryan Stanbra to provide the Legislative Update. Mr. Stanbra's update is posted on the Council's website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7b-legislative-update>.

Included in Mr. Stanbra's update is 1) the Bill tracking Report, posted at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7b-june-bill-tracking-report>; 2) a copy of AB 1713 (Eggman) and the bill analysis, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7b-ab-1713-bill-and-analysis>; 3) a copy of AB 2304 (Levine) and the bill analysis, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7b-ab-2304-bill-and-analysis>; 4) a copy of AB 1755 (Dodd) and the bill analysis, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7b-ab-1755-bill-and-analysis>; 5) a copy of SB 554 (Wolk) and the bill analysis, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7b-sb-554-bill-and-analysis>; and 6) a copy of SB 1262 (Pavley and Wieckowski) and the bill analysis, posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-7b-sb-1262-bill-and-analysis>.

Member Weinberg asked Mr. Stanbra to provide further explanation regarding SB 1262. Member Weinberg commented that he was familiar with SB 221 and SB 610, the verifications and assessments and the number of units. Member Weinberg asked Mr. Stanbra how the groundwater element was being incorporated and if it was getting at the high priority basins. Mr. Stanbra responded that the groundwater portion that is being added to it is the one way to illustrate sufficient water supply. A Groundwater Sustainability Plan may be substituted to illustrate a sufficient groundwater supply. Member Weinberg clarified the number of units that trigger the assessments and verifications, has not changed – it was just the inclusion of the groundwater element; Mr. Stanbra confirmed that he was correct.

At the conclusion of Mr. Stanbra's update, Chair Fiorini asked if there were questions from the Council or members of the public who wished to comment; there were none.

Ms. Pearson concluded by previewing the day's agenda. 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. 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://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-8-lead-scientists-report>.

Dr. Dahm updated the Council on the Delta Science Program staff field trip to Lundberg Family Farms, the Oroville Dam and spillway, and the Feather River Fish Hatchery. He said the on-site interactions afford staff a better understanding of the complex operations associated with different water uses and the needs of local stakeholders.

Dr. Dahm provided highlights from the workshop held June 2-3 to synthesize results from the three-day technical workshop, "Revisiting the 2003 Mercury Strategy for the Bay-Delta Ecosystem" that was held in January.

Dr. Dahm made brief comments about the keynote presentation at the Society for Freshwater Science Annual Meeting on May 25, 2016 in Sacramento. "Of Droughts and Flooding Rains: Innovative Responses to Water Scarcity in Temperate Australia" by Dr. Angus Webb, University of Melbourne, included a diagram developed by Dr. Webb that showed a range of responses to water scarcity during the drought.

Dr. Dahm said a poster from the January technical workshops was displayed outside the meeting room and encouraged everyone to take a moment to look at it. After Dr. Dahm concluded the Lead Scientist's Report, he invited Lauren Yamane to discuss the *By the Numbers* report. *By the Numbers* is posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-8-attachment-1-numbers-summary>.

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

9. Update on Development of Delta Plan Amendment(s) Regarding Conveyance, Storage and the Operation of Both to Achieve the Coequal Goals

Ms. Pearson introduced Agenda Item 9 and invited senior engineer Anthony Navasero to provide introductory remarks as well as introduce panelists, Joseph Yun, program manager of the Water Storage Investment Program for CWC and Ajay Goyal, chief of the Statewide Infrastructure Investigations Branch at DWR. The staff report for Agenda Item 9 is posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-9-update-development-delta-plan>.

Mr. Navasero provided background for this item, reminding the Council of the 19 *Principles* that were adopted to guide the development of an amendment for the Delta Plan on Conveyance, Storage, and the Operation of Both, at the November 2015 Council meeting (<http://deltacouncil.ca.gov/docs/19-principles-water-conveyance-delta-storage-systems-and-operation-both-achieve-coequal-goals>). In March 2016, the Council approved a work plan for the proposed amendment. He said today's briefing was intended to inform the Council of current efforts to address storage and potential reoperation of the State's flood protection; the State and federal water supply system; and the roles of DWR, CWC, and other agencies involved in these activities.

A year after the Delta Plan was adopted by the Council, voters passed Prop. 1 to fund storage and water management projects. CWC was identified as the agency to award those funds for water storage projects that provide public benefits. Prop. 1 also included language related to funding storage projects in the Delta. In order to gather information on potential projects that may seek Prop. 1 funding, CWC called for the submission of concept papers in early 2016 that summarize the potential water storage projects and their benefits.

Mr. Yun provided a PowerPoint presentation on CWC's Water Storage Investment Program. The presentation is posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-9-powerpoint-presentationwater>.

Council Member Tatayon said that she doubted that a conjunctive use project or a reoperation project on its own would meet all the criteria required and asked if CWC would have additional criteria that considered packages of several projects or integrated operation of several projects rather than individual projects. Council Member Tatayon said she thought this approach of looking at packages of projects would more likely result in meeting more of the criteria and better maximize public benefits. Mr. Yun responded that CWC was looking at how to manage integration.

Member Weinberg said that, from an Integrated Regional Water Management (IRWM) approach, the idea of multiple benefits from projects seems consistent with the State's position of multiple benefits, as stated in Prop. 1. Member Weinberg said it seemed to be a useful way to link south of Delta storage with in-Delta or north of Delta benefits and urged CWC not to shy away from an IRWM approach.

Mr. Yun said that discussions with the Commission and staff are looking at projects with multiple benefits and IRWM is among the topics being discussed. Mr. Goyal added that even though integration could create multiple benefits, the concept paper process can make it challenging for project proponents to have coordinated with one another.

Following Mr. Yun's presentation, the Council recessed and resumed the meeting at 11:15 and continued the panel presentation for Item 9.

Mr. Navasero made brief introductory remarks before Mr. Goyal's presentation. He said the presentation the Council would hear built upon the provisions for Water Code

section 83002(b)(6)(B)(i), that allocate resources “for planning and feasibility studies to identify potential options for the reoperation of the State’s flood protection and water supply systems to optimize the existing facilities and groundwater storage capacity.” Following the enactment of the law, DWR developed its System Reoperation Program to coordinate the study with other State and federal agencies, local water districts, groundwater managers, and other stakeholders by identifying potential goals for reoperation of the statewide flood protection and water supply systems. Mr. Navasero said Mr. Goyal would brief the Council on a summary of the System Reoperation Study, its findings, and likely outcomes.

Mr. Goyal provided a PowerPoint presentation on DWR’s System Reoperation Study. The presentation is posted on the Council website at <http://www.deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-9-powerpoint-presentationsystem>.

Chair Fiorini noted New Melones Reservoir didn’t appear on list of Reoperation Options Considered (page 3 of the presentation). Mr. Goyal said that they did not consider it because at the time of the study it did not have much flexibility. Mr. Goyal discussed the reoperation strategies analyzed using three scenarios: 1) existing Delta conveyance; 2) consideration of climate change; and 3) consideration of WaterFix. Chair Fiorini confirmed with Mr. Goyal that the studies did not anticipate the Sustainable Groundwater Management Act (SGMA), and asked if the studies anticipated the recent improvements to Folsom Reservoir. Mr. Goyal responded that they did. Member Tatayon requested clarification on how the ecosystem flow targets were chosen. Mr. Goyal responded that the flows were above and beyond those required.

Member Piepho asked Mr. Goyal to clarify information on slide 16 in the presentation regarding Delta outflows and improved benefits. Mr. Goyal responded that outflow reduction is taking place during certain times of the year but water is being supplied in the spring period when it is beneficial to the fish. Mr. Goyal said there are tradeoffs that must be considered whether it be increased flows or cold water pools. Mr. Goyal said that this level of detail was not included in the report; Member Piepho responded that she thought that level of detail would be critical to the report.

Member Piepho also requested clarification on the frequency of the modeling. Mr. Goyal responded the modeling was conducted monthly. Member Piepho asked if they were thinking of looking at it more frequently. Mr. Goyal said that at this time, no; they are using California Statewide Integrated Modeling, which is monthly. Member Piepho suggested looking at it more frequently than monthly.

Chair Fiorini said he echoed Member Piepho’s comment and said even hourly has been suggested, and agreed that daily or even weekly would provide a more accurate depiction of what was available. Chair Fiorini asked Mr. Goyal if they had looked back on selected years of dry, average, and wet years to test the operation. Mr. Goyal responded that they have not done that yet but it would be interesting. Chair Fiorini suggested looking at 1997 and 2011 for examples of wet years and actually using the data on a weekly basis to determine what the yields would have been. Chair Fiorini and

Mr. Goyal agreed that the take-home message was that combined State and federal operations are achieving all that can be achieved now with the existing constraints.

Member Tatayon asked Mr. Goyal if there was any chance that DWR would look at adjusting some of the constraints in the next phase of the study. Mr. Goyal responded yes, with guidance from the Council as to which constraint should be reduced. Member Weinberg said the one constraint that had some results was the redefinition of the flood water pool and the carryover pool. Member Weinberg asked Mr. Goyal if he felt the current flood control rule curve was too conservative and may warrant more carry over storage. Mr. Goyal responded that if it is allowed to flex with current reservoir conditions it would lead to greater benefits. Member Weinberg said he was interested in the SGMA scenario and noted Mr. Goyal said deliveries to contractors was held constant and asked if outflow was reduced to recharge the groundwater basins. Mr. Goyal responded that during wet years outflows were reduced under current conditions.

Dr. Dahm said one climate change scenario was presented and requested clarification on some of the assumptions used in the scenario. Mr. Goyal responded that five climate scenarios were examined; three were late long term and two were early long term derived from scales that are adjusted for California.

Ms. Pearson asked what decision-makers can do with this information. Mr. Goyal responded that they have created a process to define benefits of reoperation of the systems so that the framework that has been developed can be used by other reservoir owners looking at reoperating their facility. Mr. Goyal explained that the benefits are from groundwater substitution from the Sacramento and Feather River basins and many operators have expressed concern about tying the groundwater to the system. A very detailed analysis would have to be done.

Mr. Navasero concluded the presentation by providing brief remarks, saying he hoped the presentation provided key information to the Council as work is done to advance the development of a Delta Plan amendment addressing conveyance, storage, and operations. Mr. Navasero said not only will staff keep the Council informed as they go through the process, but staff will also provide information as these programs are implemented.

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

Public Comment – Agenda Item 9

Bob Wright, Friends of the River, and also representing AquAlliance, California Sportfishing Protection Alliance, California Water Impact Network, Center for Biological Diversity, Environmental Justice Coalition for Water, Environmental Water Caucus, Friends of the River, Planning and Conservation League, Restore the Delta, and the Sierra Club California, submitted written comments that are posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-9-public-commentfriends-river>. The purpose of the comment letter is to request that the Council develop the best possible alternatives and options. Mr.

Wright said that the coalition he was representing was very proud of the plan presented to the Council in May 2015 by the Environmental Water Caucus, *A Sustainable Water Plan for California*. Mr. Wright said that the plan was a 21st century approach of reasonable alternatives addressing the issues facing California today. Mr. Wright concluded by saying three years doesn't sound like a long time but it has been three years since the Delta Plan was adopted and it seems that projections are getting worse and worse with regard to climate change, snow melt, and reduced runoff into the Sacramento-San Joaquin watershed, and rising sea level projections.

John Mills, Office of John Mills, representing the upstream water agencies north of the Delta, commented on the reservoir reoperation studies conducted by DWR. Mr. Mills said he wanted to bring to the Council's attention some of the factors the agencies he represents were reviewing. Mr. Mills said the SGMA created some opportunities as well as some constraints and that one consideration is how to operate north of the Delta and south of the Delta with partnerships that didn't previously exist. Mr. Mills said many of his agencies are involved with IRWM and have formed non-traditional partnerships looking at how to utilize the water with multiple benefits. Mr. Mills spoke of the need for integrated projects. He also said that if water managers upstream are asked what is most important, their answer is certainty that can only be achieved in a collaborative fashion forming non-traditional partnerships. Mr. Mills thinks that as projects are rolled out, the Council will see them in increments and he hopes that the pieces will be pulled together to form a successful ecosystem restoration program for the Delta.

Erik Ringelberg, The Freshwater Trust and Local Agencies of the North Delta, commented on the 19 Principles calling them logical; thoughtful, and a reflection of the elements in the Delta Plan. Specifically related to Principle #1, new or improved Delta conveyance infrastructure should a) enhance the Delta ecosystem, including restoring more natural flows, b) protect or enhance water quality, and c) increase the reliability that water available for export supplies can be exported. He said one of those elements of more natural flows, as seen in DWR's presentation, is the outflow element and we need to look at how outflow changes with the various conveyance and storage projects and see how that improves and enhances the Delta ecosystem. Regarding Principle #8, Mr. Ringelberg said the new and expanded projects should provide both immediate and enduring ecosystem enhancement and water supply benefits. In both cases, he thinks it is critical to look at elements of action that can be defined and implemented so we can see if we are on the right trajectory and what the benefits might look like. Mr. Ringelberg suggested looking at specific benefits such as water quality measures and temperature metrics. Ultimately, quantification will be critical for the success of meeting Principles 1 and 8.

North Coast Rivers Alliance, Winnemem Wintu Tribe, Pacific Coast Federation of Fishermen's Associations, San Francisco Crab Boat Owners Association, and the Institute for Fisheries Resources, submitted written comments that are posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-9-public-commentnorth-coast-rivers>.

Central Delta Water Agency, South Delta Water Agency, Lafayette Ranch, Inc., Cindy Charles, and Local Agencies of the North Delta, submitted written comments that are

posted on the Council website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-9-public-commentcentral-delta-water>.

Member Weinberg asked Mr. Goyal if he could recall some of the numbers in the higher years versus the lower exceedance levels in regards to carry-over water. Mr. Goyal responded that during dry and critical years carry-over water could be used for cold water pools or ecosystem uses but it was the same water.

10. Update on the Delta Levees Investment Strategy (DLIS)

Dustin Jones, supervising engineer, provided opening remarks.

The staff report for Agenda Item 10 is posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-10-update-delta-levees-investment>. Attachment 1, the DLIS Stakeholder Input Sheet is posted on the Council's website at <http://deltacouncil.ca.gov/docs/delta-stewardship-council-june-23-2016-meeting-agenda-item-10-attachment-1-dlis-stakeholder>.

The DLIS team conducted two outreach meetings in June, one in Brentwood and one in West Sacramento. Mr. Jones said the focus of the meetings was to demonstrate how the Decision Support Tool can consider risks to State interests and to receive feedback about the risk maps and asset information. Staff also met with subject matter experts to discuss risks to specific State interests. These outreach meetings were similar to the presentations received by the Council in April and May. Stakeholder Input Sheets were distributed at each meeting to gather feedback and to provide opportunities for additional public participation. Mr. Jones said staff will discuss the feedback and comments received and how they can inform the Council. Staff was interested to know how the public ranked the risks and priorities in the Delta. Mr. Jones said that it was not a surprise that most of the public interests ranked loss of life as the first priority and property damage as the second; loss of non-tidal habitat was of less importance. One of the concerns, he said, was the accuracy of the data sources. Meetings have been scheduled in the upcoming weeks to work with specific groups to address items of concern. For example, a meeting has been scheduled with the San Joaquin Flood Control Agency regarding representation of some of the risks in their area in an effort to refine the model where necessary. Another continuing concern heard is how the program will be implemented, how it will affect the funding available, and how the information from the Decision Support Tool will be used.

Mr. Jones said that there are a few meetings with subject matter experts scheduled to discuss how State interests have been identified in the effort and how risks to these interests are being examined. As mentioned in the Executive Officer's Report, a joint meeting with CVFPB is being scheduled to discuss coordination of the Council's efforts to develop a risk reduction strategy and CVFPB's efforts to update the Central Valley Flood Protection Plan.

Member Piepho asked Mr. Jones for clarification of the last paragraph in the staff report regarding input from Council members regarding the prioritization of islands and tracts within the Delta and Suisun Marsh into categories ranging from higher risk to lower risk,

specifically if the input was going to be a technical analysis or policy discussion. Mr. Jones responded that it would be a combination of both. Member Piepho suggested looking at the statutory language as the guiding criteria rather than turning to data. She also requested assurance that the people in the Delta don't feel "steamrolled".

Council member Fiorini asked if there was a revised timeline. Mr. Jones said that a revised timeline should be completed in July and presented to the Council in August.

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

3. Continuation of 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.

At the recommendation of the Chief Counsel the Council recessed into Closed Executive Session. Without Council objection, Closed Executive Session convened at 12:35 p.m. and adjourned at 1:35 p.m., with Chair Randy Fiorini presiding.

4. Reconvene Open Session

Upon adjournment of the Closed Executive Session, the Council reconvened in Open Session at 1:40 p.m. Chair Fiorini announced that no action was taken during Closed Executive Session. Chair Fiorini said the recess into Closed Executive Session was an extension of Agenda Item 3. The Council had received a clarification of the May 19 tentative ruling from the Superior Court case and he noted that there would still be a hearing the following day (Friday, June 24). Chair Fiorini asked if there were any comments or questions from the Council members; there were none.

11. Public Comment

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

12. 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 – July 28-29, 2016.

The meeting adjourned at 1:46 p.m.