

Bay Delta Conservation Plan (BDCP)

Steering Committee (SC) Meeting

March 13, 9:00 a.m. to 2:00 p.m.
California Farm Bureau Federation Conference Room
2300 River Plaza Ave, Sacramento, CA

Draft Meeting Notes

Associated documents/handouts:

- Agenda
- BDCP Draft SC Meeting Notes December 5, 2008
- HO #1 Draft Revised SAIC Terrestrial Species Goals and Objectives
- HO #2 Draft BDCP Work Plan Terrestrial Resources Subgroup
- HO #3 Draft SAIC “Straw” Proposal for Draft Habitat Restoration Recommendations
- HO #4 Draft Monitoring and Adaptive Management Sections for Tidal Marsh Restoration Conservation Measures
- HO #5 Draft Scientific Evaluation Worksheet (DRERIP Instructions)
- HO #6 Draft BDCP Conservation Measures DRERIP Evaluation Synthesis Process
- HO #8 Draft BDCP March-April Deliverables and Decisions
- HO #9 Draft Tentative Schedule of Agenda Topics for the Steering Committee Meetings
- Draft BDCP Outreach Meeting Log and Summary Issues

Action Items and Key Decisions

- BDCP Draft SC Meeting Notes December 5, 2008 approved with changes

Updates

- Secretary Chrisman sent a letter to the five Delta counties requesting a meeting to discuss establishing “coordination agreements” between the counties and the Natural Resources Agency regarding BDCP and other Delta-related issues.
- USFWS announced that they are establishing a field office devoted to BDCP and other Delta matters with Dan Castleberry as the head of the office. John Engbring will be stepping back from BDCP after a period of transition with Dan.
- There will be a tour of Delta Wetlands next Wednesday.
- DWR announced the Delta Risk Management Phase I report is due out next Monday. Phase II report describing approaches to addressing risk is due out in the fall.
- USFWS announced a suit has been filed against them on the OCAP biological opinion by certain water agencies. Concerns were raised by FWS regarding potential affect of litigation on BDCP discussions.

Process and Schedule

An updated schedule for BDCP was discussed with the presentation of handouts *Draft BDCP March-April Deliverables and Decisions* and *Draft Tentative Schedule of Agenda Topics for the Steering Committee Meetings* (see associated handouts/documents). SC will be focused on resolving key issues to allow for the preparation of the draft BDCP HCP/NCCP document. SC members discussed the challenges facing them to meet the schedule to produce a proposed draft conservation strategy (Chapter 3) by May 1.

Public Outreach:

Karla Nemeth reported on the first Scoping meetings (Chico, Bakersfield, San Jose) and presented an updated *Outreach Meeting Log and Summary Issues* (see associated handouts/documents). A request was made that revised sections of Chapter 3 be posted on the BDCP website along with comments and a table summarizing the disposition of these comments.

SC members discussed the public outreach process and options for expanding the effort. The SC raised issues and suggestions related to: funding; need for additional SC member participation as Public Outreach Liaisons; the manner in which public outreach requests should be handled; use of technical experts and information in outreach; arranging meetings in the upcoming weeks; use of Central Valley Joint Ventures for outreach purposes.

Public comment:

Ann Spaulding representing the City of Antioch asked if the disposition column of the outreach meeting log will be filled in.

Mark Wilson from Clarksburg asked for clarification regarding coordination between NEPA requirements and the BDCP outreach effort and inquired as to whether any formal coordination agreements have been entered into with county governments.

Karen Scarborough replied to Mr. Wilson that Secretary Chrisman's work with the Delta counties is directed at local governments, whereas the BDCP outreach effort is targeted to the general public and interest groups. There is an intention that coordination agreements will be established between BDCP and the counties.

Linda Dorn from SCRSD volunteered to help with outreach.

Robin Kulakow representing the Yolo Basin Foundation requested a BDCP presentation.

Roberta Goulart representing Contra Costa County mentioned the meeting Karla Nemeth had with their Board. They have a list of questions for the BDCP SC and Ms. Goulart would like to know if the Board of Supervisors will be receiving a formal response.

Karen Scarborough responded that the nature of the response will depend on how the questions are delivered, the content and depth of the questions, and whether they can be addressed within the local government meetings held by Secretary Chrisman.

Draft Alternatives:

Jerry Johns gave an update on the NEPA/CEQA alternatives development process including how the scoping sessions will contribute to that process. Alternatives screening criteria are also being developed. SC members asked about the relationship between the Section 404(b)(1) alternatives analysis and the NEPA alternatives process.

Implementing Structure/Governance Working Group

Richard Roos-Collins (co-chair) reported on the updates to WG group discussions on governance structure and how the WG intends to clarify language on routine vs. non-routine adaptive management. The WG expects to have the next draft of the governance structure for the SC on March 27. In the co-chairs' view, the WG is ready to begin drafting Chapter 7, *Implementing Structure*. The co-chairs will be preparing a memorandum to the California legislature that explains the reasoning behind the proposed BDCP governance structure. The WG requests that Chapter 3, *Conservation Strategy*, reflect the current direction that the WG is moving on a governance structure. For example, the text of Chapter 3 should note the distinction between routine and non-routine changes relating to adaptive management.

Description of Conveyance Facilities

Jim Watson (DHCCP) gave short presentation on the potential locations of intake/fish screen and connecting conveyance facilities in the north Delta along the Sacramento River.

SC members discussed issues concerning potential conveyance facilities including: the approach that will be taken in the EIR/EIS analysis; request for a presentation on the "value engineering" study; a request for a joint session of the Habitat and Operations TT and the Conveyance WG to discuss various approaches to facilities; involvement by the USACE; and schedule for decisions on screens and facilities locations. Jerry Johns (co-chair) noted that the Conveyance WG is already scheduled to discuss these conveyance and intake/screen facilities topics.

Public comment:

Roberta Goulart representing Contra Costa County requested additional information for review by their engineers.

Karen Scarborough indicated Ms. Goulart is encouraged to attend the Conveyance WG meetings.

Mark Wilson asked when the maps from the presentation will be on the BDCP website.

Jerry Johns replied the maps are on BDCP EIR/EIS website.

Justin Frederickson representing the California Farm Bureau Federation asked for clarification about the comparison of the east vs. west alignment choices.

Karen Scarborough encouraged Mr. Frederickson to attend the Conveyance WG meetings learn more about the issue.

DRERIP Evaluation Results

Campbell Ingram gave a presentation that included the handout *Draft Scientific Evaluation Worksheet (DRERIP Instructions)* (see associated handouts/documents). Along with preliminary results, he discussed the DRERIP process including the 32 conservation measures that were addressed in the DRERIP evaluations. Each conservation measure evaluation produced reports of 50-60 pages.

SC members requested clarification on the definition of *certainty*, use of surrogates in conducting the analyses, and whether species were evaluated individually, methods for scoring, and timing on the release of the summary report.

Carl Wilcox presented and discussed *HO #6 Draft BDCP Conservation Measures DRERIP Evaluation Synthesis Process* (see associated handouts/documents). This document presents the “next steps” for the DRERIP evaluation process in which the large volume of DRERIP evaluation results for individual conservation measures will be integrated and synthesized for presentation to the SC. DRERIP analyzed conservation measures vetted in the WGs and TTs. SC members queried about when in the process will economic factors will be considered; how will terrestrial species be addressed (DRERIP has not developed terrestrial models, but BDCP has developed models for the terrestrial species); how modeling results will be evaluated; the disposition of other stressors conservation measures; and when will the water operations conservation measures evaluations be completed.

Public Comment:

Barbara Byrne representing PCL asked the DRERIP evaluation team leaders for clarification regarding the technical synthesis analysis for determining which scenarios will be evaluated. For example, what ranges were assumed for conservation measures that were evaluated through the DRERIP process and what outcomes were available to the DRERIP team.

Reply to Question: Some of the conservation measures did have ranges that were evaluated and others did not.

Ann Spaulding (City of Antioch) asked which water quality actions were looked at by the DRERIP teams. She also asked if water flow issues were addressed in DRERIP.

Reply to Question: DRERIP evaluation teams looked at water quality issues including reduction of ammonia, endocrine disruptors, pesticides and herbicides, and methylmercury contamination. The DRERIP Water Operations Team addressed operations/flow scenarios.

Justin Fredrickson (CFBF) asked about the schedule for deliverables in March and April.

Linda Dorn representing SCRSD requested the opportunity for DRERIP training. Her agency will want to comment on DRERIP and asked if others can participate in the DRERIP Synthesis process described today. Laura King Moon responded that additional DRERIP evaluation training sessions are likely to be scheduled because there is a need to train more technical people to use the models and process.

Monitoring and Adaptive Management for Habitat Restoration:

Pete Rawlings presented/discussed *Draft Monitoring and Adaptive Management Sections for Tidal Marsh Restoration Conservation Measures* (see associated handouts/documents). This document was presented at the last Habitat Restoration Program TT meeting. SC members discussed a number of issues raised by the document including: how the monitoring program will be put in place; integration and coordination with existing monitoring programs; monitoring of vegetation on levees in the Yolo bypass; when conservation measures will be populated with amounts (specific quantities); addressing cost variables when addressing the determination of conservation amounts; framing policy decisions; and when and how the Science Liaisons will be reconvened.

Public Comment:

Barbara Byrne (PCL) asked for clarification about adaptive management triggers, and what is meant by “investigate results”.

Biological Goals and Objectives Working Group

Gary Bobker (co-chair) reported that progress has been made in filling in detail of the goals and objectives. The WG will be meeting next week and will also identify next steps. The WG has focused on aquatic side and now moving to develop goals and objectives for terrestrial species. Will Stelle reported that the goal is to have a package of goals and objectives by the next SC. He also presented the *Draft Revised SAIC Terrestrial Species Goals and Objectives* (see handouts/documents). SC members discussed issues related to the goals and objectives preparation effort including: how the document will be revised, especially to address recommendations from the Independent Science Report; the increased cost of adding more covered species (costs for both plan preparation and implementation); when objectives will be populated with numbers; and how tracking will be used to see if objectives are being met.

A Terrestrial Species Subgroup is being formed to develop conservation measures for proposed covered wildlife and plant species.

Habitat Acreages

Paul Cylinder introduced updates to the *Draft SAIC "Straw" Proposal for Draft Habitat Restoration Recommendations* (see associated handouts/documents).

SC members raised concern about existing USACE agreements and their requirements regarding vegetation management on levees.

Public Comment:

Julia McIver representing Yolo County asked for clarification about the habitat restoration acreage numbers for Sutter and Steamboat sloughs.

Robin Kulakow representing the Yolo Basin Foundation asked where the acreage numbers for Yolo bypass are and would like to work on alternatives to spring inundation and impacts on existing land use. She also urged BDCP to work with stakeholder groups.

Justin Fedrickson (CFBF) asked when the document will be updated.

Barbara Byrne (PCL) urged the need for more independent science, including in the adaptive management effort and suggested water demands be flexibly handled over time.

Attendees

Management and Representatives

Karen Scarborough (Chair, The Resources Agency)

Marc Ebbin (DWR, The Resources Agency)

Will Stelle (The Resources Agency)

Laura King Moon (State Water Contractors)

Karla Nemeth (The Resources Agency)

Jerry Johns (DWR)

Federico Barajas (USBR)

Cindy Tejada (USACE)
Brent Walthall (Kern County Water District)
Greg Zlotnick (Santa Clara Valley)
Randall Neudeck (Metropolitan)
Jason Peltier (Westlands)
Kurt Arends (Zone 7)
Richard Roos-Collins (American Rivers/Natural Heritage Institute)
Kim Delfino (Defenders of Wildlife)
Ann Hayden (Environmental Defense)
Campbell Ingram (The Nature Conservancy)
Gary Bobker (The Bay Institute)
Kenny Watkins (California Farm Bureau Federation)
Greg Gartrell (Contra Costa Water Agency)
Steve Ottemoeller (Friant Water Authority)
Melinda Terry (North Delta Water Agency)
Carl Wilcox (DFG)
Ted Meyers (NMFS)
Paul Cylinder (SAIC)
Pete Rawlings (SAIC)

On phone

Ron Kino (Mirant)
John Cain (NHI)
Joe Grindstaff (CBDA)
Bruce DeGennaro

Other attendees

See sign-in sheets
