

**Bay Delta Conservation Plan (BDCP)  
Steering Committee (SC) Meeting**  
September 17, 2009, 9:00 a.m. to 10:30 a.m.  
California Farm Bureau Federation Conference Room  
2300 River Plaza Ave, Sacramento, CA

**Draft Meeting Notes**

**Associated documents/handouts:**

- *Agenda*
- *Draft Proposed Near-Term Conservation Measures for Hydrodynamic Modeling and Analysis*

**Action Items and Key Decisions**

- SC members concurred, with dissenting opinion from The Bay Institute, to direct SAIC to initiate the effects analysis using the *Draft Proposed Near-Term Conservation Measures for Hydrodynamic Modeling and Analysis*.

**Updates**

- SC members were asked to provide their email addresses for posting on the BDCP website to encourage the facilitation of communications between SC members, and between SC members and the public. Karen Scarborough suggested that members email each other directly. In addition, SC members were reminded that the SC meetings are the venue for discussing issues in an open forum.
- The SC meeting schedule was discussed, including the idea that SC meetings be held weekly or that each meeting be extended to accommodate discussion of the significant work products that are expected to come before the SC in the coming weeks. Members expressed a desire for longer lead time to adequately review the materials that are being provided.
- SC agreed that next week's meeting would be scheduled from 9:00 am – 2:30 pm, with a 30-45 minute break for lunch.

**Public Comment:**

- Ann Spaulding (City of Antioch) requested more time to submit public comments. Ms. Spaulding also asked how the letters she has prepared can be distributed to SC members. Karen Scarborough responded that as soon as the SC member email address list is updated and posted they would be available to Ms. Spaulding.

**Draft Proposed Near Term Conservation Measures for Hydrodynamic Modeling and Analysis**

Karen Scarborough reintroduced the document *Draft Proposed Near-Term Conservation Measures for Hydrodynamic Modeling and Analysis* (see associated handouts/documents) and reminded SC members that discussions on this subject will be ongoing and will not end after this meeting.

SC members were asked for their concurrence that the *Draft Proposed Near-Term Conservation Measures for Hydrodynamic Modeling and Analysis* be used as the basis for an effects analysis of near-term conservation measures and, specifically, to model water operations for the near-term period.

SC members engaged in a discussion of the document, raising issues and concerns including: how significant concerns raised by some of the NGOs will be incorporated into the process of identifying proposed water operations criteria; preference that SC members engage in open discussions at meetings rather than through letter writing; a request that members offer constructive criticism and suggest alternative approaches, rather than just raise objections; a reminder that the expanded “note to reviewers” associated with today’s handout (as updated last week) still stands; the clarification that this document is not a substitute for the biological opinions; clarification that the consultant’s proposed near-term water operations is a product for purposes of analysis and not the SC’s proposed near term package; a request for the names of the experts who will be involved in conducting the effects analysis; a request for the list of analytical tools and approach to be used in the effects analysis.

Gary Bobker presented a summary of a letter prepared by The Bay Institute, Environmental Defense Fund, Defenders of Wildlife (NGO letter) that expressed concern and disagreement about the usefulness and appropriateness of the consultant’s proposal to initiate the effects analysis. The letter also offered alternatives to the proposed approach.

SC members continued the discussion of the proposal as well as the implications of the NGO letter. Some members expressed the desire to move forward despite concerns about and limitations of the proposal. There is expectation that new information will be derived from the effects analysis that will inform future decisions. Additional questions and issues were raised such as: when and how the DRERIP evaluations will be used in the analysis; the awareness of the significant changes in water operations that have been made with the advent of the new biological opinions; the need to reduce uncertainty in the near term. While the PREs also have concerns about the proposal, they prefer to move forward with the analysis and learn from the process. Some members expressed concern that the momentum of the effects analysis will overwhelm the BDCP development process and the possibility that if conservation measures change significantly the effects analysis would have to be reinitiated and that may affect the schedule.

SC members were polled to ascertain their willingness to allow the effects analysis to go forward based on the proposed package. Some members expressed concern that the proposal is deficient, but elected to move forward with effects analysis using the proposal as the basis. The Bay Institute requested to be put on the record as dissenting from the decision of the SC to direct that the analysis proceed.

**Public Comment:**

Ann Spaulding (City of Antioch) indicated that her letter was directed to Armin Munevar and included questions primarily related to hydrodynamic modeling of water quality. Ms. Spaulding also questioned why the proposal for near term actions includes tools and actions previously rejected by NMFS. Dan Castleberry responded that some new tools were rejected at the time the BOs were developed, but he also left open the use of those tools in the future as more becomes understood regarding their value. Roger Patterson responded that most of the measures in the near term proposal are consistent with the BOs.

Justin Fredrickson (California Farm Bureau Federation) asked if the effects analysis on the near term actions would include a comparison of the existing BOs requirements with the potential BDCP measures. He also inquired whether the analysis could be revised and adjusted along the way?

## **Attendees**

### *Management and Representatives*

Karen Scarborough (Chair, The Natural Resources Agency)

Marc Ebbin (DWR, The Natural Resources Agency)

Laura King Moon (State Water Contractors)

Karla Nemeth (The Natural Resources Agency)

Jerry Johns (DWR)

Federico Barajas (USBR)

Paul Robershotte (USACE)

Roger Patterson (Metropolitan Water District)

Ara Azhderian (SLDMWD)

Greg Zlotnick (Santa Clara Valley)

Jason Peltier (Westlands)

Kurt Arends (Zone 7)

John Cain (American Rivers)

Ann Hayden (EDF)

Kim Delfino (Defenders of Wildlife)

Jerry Meral (NHI)

Anthony Saracino (The Nature Conservancy)

Kenny Watkins (CFBF)

Melinda Terry (North Delta Water Agency)

John McCamman (DFG)

Dan Castleberry (FWS)

Maria Rea (NMFS)

Paul Cylinder (SAIC)

### *On phone*

Greg Gartrell (Contra Costa)

Cindy Kao (Santa Clara Valley)

Steve Ottemoeller ((Friant Water Authority

Gary Bobker (TBI)

### *Other attendees*

See sign-in sheets

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