

Bay Delta Conservation Plan (BDCP) Steering Committee (SC) Meeting

June 3, 2010, 9:00 a.m. to 12:00 p.m.
California Farm Bureau Federation Conference Room
2300 River Plaza Ave, Sacramento, CA

Draft Meeting Notes

Associated documents/handouts:

- *Agenda*
- *Working Draft Terrestrial Resources Conservation Strategy Table of Contents (Text, Tables, and Figures of Working Draft Terrestrial Resources Conservation Strategy made available online)*
- *Technical Memorandum regarding Initial Findings and Preliminary Recommendations on Additional Science Engagement to Support Development of the Bay Delta Conservation Plan*
- *Draft BDCP Species-Specific Goals and Objectives for Longfin Smelt – Distribution*
- *Draft BDCP Species-Specific Goals and Objectives for Longfin Smelt – Productivity*
- *Draft BDCP Species-Specific Goals and Objectives for Longfin Smelt – Abundance*
- *Draft #1 Objective for Winter-run Chinook Salmon – Juvenile Productivity*
- *Draft #2 Objective for Winter-run Chinook Salmon – Adult Survival*
- *Draft #3 Objective for Winter-run Chinook Salmon – Run-time Diversity*
- *Draft #4 Objective for Winter-run Chinook Salmon – Genetic and Life History Diversity*

Action Items and Key Decisions

- None

Updates

- The Delta Stewardship Council held a meeting on the BDCP and its EIR/EIS process (DHCCP). Several Steering Committee members were panelists at the Council meeting.
- Kim Delfino (Defenders of Wildlife) has joined Roger Patterson (Metropolitan Water District) in co-chairing the BDCP Governance workgroup.
- Several BDCP Steering Committee members traveled to Washington DC last week to brief legislators and federal agency representatives on the BDCP. In general, there is a growing understanding of and interest in the BDCP and its importance; some federal financial support may be made available for near-term habitat restoration projects.
- Melinda Terry (NDWA) noted that the Steering Committee has not received 2010 meetings notes for review. Karen Scarborough (chair) responded that several sets are ready, but that the Steering Committee had expressed a desire to see many notes all at once for context. Ms. Terry responded that she does appreciate seeing many notes together for context, but would be happy to get the few that are ready.

Process and Schedule

Karen Scarborough (chair) discussed the Steering Committee schedule for the summer. The Steering Committee will meet throughout the summer every other week. Topics of discussion will include governance, the conservation strategy, and costing of the BDCP. Armin Munevar (SAIC Team) will present hydrodynamic modeling results of the Effects Analysis at the June 17 meeting.

Public Outreach

Karla Nemeth (The Natural Resources Agency) discussed county engagement with the BDCP. Individual Memorandums of Understanding (MOU) with each of the counties are being put together by Secretary Snow. These MOUs address not only the BDCP, but also include the Central Valley Flood Protection Plan, emergency response, and agricultural land preservation. The process is furthest along with Yolo County, and a local issues group is working on the Yolo Bypass conservation measure. All meetings are open to the public. The Delta Tour, originally scheduled for June 11, will be postponed until July due to scheduling conflicts.

Discussion: Governance/Implementation Structure

Roger Patterson (Metropolitan Water District) discussed the progress of the Governance/Implementation Structure Workgroup. The fish agencies have made comments on the fall 2009 draft of the governance and implementation structure chapter (Chapter 7); and the workgroup has been incorporating their comments. They plan to give a detailed presentation of the chapter at the June 17 Steering Committee meeting. There are nine principal parts of governance that will be described: description of the management entity, a delineation of authorized entities, description of the fish agencies' responsibilities, description of supporting entities, organization of the BDCP implementation committee (will be made up of representatives from various entities), an administration section (e.g., budgeting, coordinating, contracting, and reporting), implementation of the conservation strategy (water operations, habitat restoration, other stressors, monitoring and adaptive management), regulatory compliance, and public outreach.

A question was raised about how the governance of BDCP will engage with the new Delta Stewardship Council. Mr. Patterson responded that the two are closely linked so the successes of both will be tied together. When the BDCP is authorized, it will fit within the larger Delta Plan developed by the Delta Stewardship Council. There was further discussion regarding the relationships between the Delta Stewardship Council, the fish and wildlife agencies, and the agencies holding the BDCP permits. A suggestion was made to request that a member of the Delta Stewardship Council attend the BDCP Steering Committee meetings, as an observer, to enhance coordination between the two entities. A subcommittee of the Delta Stewardship Council announced that they will hire an independent consultant to review the BDCP.

A suggestion was made to add Delta Stewardship Council updates as a recurring item on the BDCP Steering Committee agenda. A point was made that the Delta Stewardship Council is still trying to figure out how to balance their two roles as both a responsible agency and an appellate entity. A point was made that some existing Steering Committee

members (e.g., U.S. Army Corps of Engineers) maintain that impartiality while sitting at the Steering Committee table, though they are also a permitting agency. A suggestion was made for the BDCP Steering Committee to engage the new Delta Conservancy.

The current thinking of the Governance Workgroup is that no new authority is proposed for the BDCP management entity; but rather, existing authorities would be sufficient to allow for the establishment of the BDCP management entity and enable it to carry out implementation of the BDCP. A suggestion was made to have another Governance Workgroup meeting prior to submitting a revised Chapter 7 to the Steering Committee.

Discussion: Logic Chain Update

David Harlow (State Water Contractors) gave an update on the application of the Logic Chain to covered fish species, and went over the associated handouts (*Draft BDCP Species-Specific Goals and Objectives for Longfin Smelt – Distribution; Draft BDCP Species-Specific Goals and Objectives for Longfin Smelt – Productivity; Draft BDCP Species-Specific Goals and Objectives for Longfin Smelt – Abundance; Draft #1 Objective for Winter-run Chinook Salmon – Juvenile Productivity; Draft #2 Objective for Winter-run Chinook Salmon – Adult Survival; Draft #3 Objective for Winter-run Chinook Salmon – Run-time Diversity; and Draft #4 Objective for Winter-run Chinook Salmon – Genetic and Life History Diversity*). This Logic Chain approach was recommended by the NGO's last winter. It is intended to serve as a means to identify goals and objectives and trace their connections through a logical chain to the conservation measures and expected outcomes.

Independent science reviewers have evaluated the efficacy of using the logic chain approach to illustrate the links between goals and objectives and conservation measures. The independent science reviewers produced a report with suggestions on how to proceed with the logic chain on the BDCP. This report and associated presentation are available on the BDCP website under the March 25, 2010 Steering Committee meeting. Additional logic chain documents, including a user's guide, are available on the website under the April 22, 2010 Steering Committee meeting.

The application of the logic chain to covered species is furthest along with respect to winter-run and longfin smelt. Topics covered for the winter-run Chinook salmon are juvenile productivity, adult survival, run-time diversity, and genetic and life history diversity. Topics covered for the longfin smelt are distribution, productivity, and abundance. The logic chain spreadsheets include goals, objectives, stressors, and conservation measures. These handouts are still draft and subject to change. It was noted that under the logic chain, the goals and objectives are not intended to be permit conditions.

A question was raised about whether a ranking of the stressors has been done (i.e., to show the importance of the stressor or potential for recovery from addressing the stressor). Mr. Harlow responded that the stressors are ordered based on information included in the NMFS draft recovery plan. A question was raised as to the level of specificity in the objectives as the measurements needed to track their success seem unattainable. Additionally, the practicability of the objectives was called into question as stressors other than those identified could be causing fish populations to decline or not

increase. A point was made that a decrease in entrainment is a goal; however entrainment increases as fish populations increase. A point was made that most of the covered species do not have recovery plans, making the formation of a logic chain more difficult.

Public Comment:

Paul Gilbert-Snyder (East Bay Municipal Utility District), in regards to the winter-run objective that states “increase the 5 year running average survival of juvenile winter-run Chinook salmon migrating between Knight’s Landing and Chipps Landing,” asked if data are currently available by which to measure whether this objective will be met. Mr. Harlow responded that similar data are being monitored, but monitoring action would require movement of one of the monitoring stations to Knight’s Landing to capture the effects of Fremont Weir and Yolo Bypass improvements. Mike Tucker (NMFS) added that this brings up a good point that there is not always solid data available by which to measure if new actions are having an impact.

Discussion: Terrestrial Conservation Measures Incorporating Goals and Objectives

Paul Cylinder (SAIC) introduced the *Working Draft Terrestrial Resources Conservation Strategy Table of Contents* handout and went over the sections that are included in this draft that is available on the BDCP website. He noted that strikethroughs indicate sections that are not included in this iteration of chapter 3. Given the large file size of the chapter, the text, tables, and figures were made available online for review. Dr. Cylinder introduced Jim Estep (SAIC Team wildlife biologist). Mr. Estep presented a detailed outline of the terrestrial component of the BDCP Conservation Strategy and how the structure of the section has evolved and will continue to be refined. Mr. Estep suggested that reviewers also keep Chapter 2, *Existing Ecological Conditions*, and Appendix A, *Covered Species Accounts*, available for reference while reading the Chapter 3 *Conservation Strategy* terrestrial sections as these other parts of the BDCP document contain background information on the natural communities and covered species for which goals and objectives and conservation measures are described in Chapter 3.

Mr. Estep outlined a conservation strategy example for a covered terrestrial species (riparian brush rabbit). The strategy emphasizes coordination with existing species conservation efforts in neighboring counties to most effectively address species-specific habitat preservation and restoration. Dr. Cylinder went over the natural community restoration and preservation acreage targets, reminding the Steering Committee of how they relate to one another and that they overlap (i.e., species habitats are subcomponents of natural communities). This draft of the terrestrial conservation strategy has gone out to species experts for review, and the feedback received will help further refine this section. Melinda Terry (North Delta Water Agency) asked how effects from other projects in the Delta will relate to the BDCP. Currently proposed projects that contribute to BDCP goals may be noted in the BDCP, but separate restoration projects will have separate environmental review processes. Discussion followed regarding partnership with other entities (e.g., CSU Stanislaus on riparian brush rabbit habitat restoration) to best implement species-specific restoration.

A suggestion was offered that agricultural habitat targets should be species population-based as opposed to acreage-based; therefore, the number of agricultural acres utilized for habitat preservation would be limited once the restoration of species populations had been achieved. A further point was made that market forces drive agricultural production, for example, sugar beets were economically viable 30 years ago (historically cultivated for sugar production) and are not economically viable today. Some of the crops that are currently used for habitat may not be economically viable in the future.

Discussion: Additional Science Input

Bruce DiGennaro (science facilitator) presented the *Technical Memorandum regarding Initial Findings and Preliminary Recommendations on Additional Science Engagement to Support Development of the Bay Delta Conservation Plan* handout. The science facilitator team consulted with a number of Steering Committee members before making these findings and developing the preliminary recommendations for the BDCP. Mr. DiGennaro discussed the findings and recommendations. On the topic of independent advice, Mr. DiGennaro acknowledged that entities such as the Delta Stewardship Council and the Delta Science Program are planning to conduct reviews of the BDCP. Mr. DiGennaro pointed out that these reviews can lead to the coordination suggested in the team's initial findings. Mr. DiGennaro noted that experts that provide scientific input into the development of BDCP products should not be experts that have helped develop the Plan. A question was raised about how DRERIP can be used in conjunction with logic chain. Mr. DiGennaro responded that the science facilitator team is looking into it.

Public Comments:

Erik Ringelberg (Reclamation District 999) thanked Mr. DiGennaro for the team's efforts and offered to recommend technical experts for future BDCP input. Karen Scarborough (chair) referred Mr. Ringelberg to Mr. DiGennaro to discuss suggested experts.

Linda Dorn (Sacramento Regional County Sanitation District [SRCSD]) stated that SRCSD has hired a toxicologist and an aquatic ecologist and asked if SRCSD could participate in upcoming BDCP science workshops. Karen Scarborough (chair) referred Ms. Dorn to Mr. DiGennaro to discuss potential participation.

General Public Comments:

Osha Meserve (Reclamation District 999 and Stone Lakes NWR Association) stated that she is waiting for documents from DWR that show where proposed intakes and associated facilities will be located. Karla Nemeth (The Natural Resources Agency) responded that she is working on a map that will include that information. Ms. Meserve suggested creation of a study group to examine minimization of potential effects of the proposed intakes and associated facilities. Ms. Meserve then asked when the BDCP intake sizing study results would be presented. Karen Scarborough (chair) responded that there will be a progress update given of all the BDCP separate analyses at the next Steering Committee meeting.

Ann Spaulding (City of Antioch) asked for details of what Armin Munevar (SAIC Team) will present at the June 17 Steering Committee meeting in terms of water operations. Paul Cylinder responded that Armin will present the hydrodynamic results of the DSM2

model. The Steering Committee presentation will be an overview, and a more detailed modeling-for-modelers meeting will then be scheduled.

Tina Cannon Leahy (California Assembly Water, Parks and Wildlife Committee) asked if there is going to be a document describing the factors that determined the alternatives to take. Karen Scarborough (chair) responded in the affirmative; however, there is no date for that yet.

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)

Paul Robershotte (USACE)

Jason Peltier (Westlands Water District)

Brent Walthall (Kern County Water Agency)

Roger Patterson (Metropolitan Water District)

Kim Delfino (Defenders of Wildlife)

Campbell Ingram (The Nature Conservancy)

Steve Ottemoeller (Friant Water Authority)

John Cain (American Rivers)

Carl Wilcox (DFG)

Ara Azhderian (San Luis & Delta-Mendota Water Authority)

Melinda Terry (North Delta Water Agency)

Federico Barajas (USBR)

Patti Idlof (USBR)

Kenny Watkins (California Farm Bureau Federation)

Chris Scheuring (California Farm Bureau Federation)

Dan Castleberry (USFWS)

Michael Tucker (NOAA/NMFS)

Paul Cylinder (SAIC)

On phone

Ann Hayden (Environmental Defense Fund)

Greg Gartrell (Contra Costa Water District)

Greg Thomas (Natural Heritage Institute)

Kurt Arends (Zone 7)

Cindy Kao (Santa Clara Valley Water District)

Peter Landreth (Mirant)