

Bay Delta Conservation Plan (BDCP)
Steering Committee (SC) Meeting
June 30, 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*
- *Draft BDCP SC Meeting Notes May 8, 2009*
- *HO#1 Draft Proposed Long-Term BDCP Water Operations Range of Criteria (June 30, 2009)*

Action Items and Key Decisions

- Approved Draft BDCP SC Meeting Notes May 8, 2009
- SC members concurred on the numbers outlined in *HO#1 Draft Proposed Long-Term BDCP Water Operations Range of Criteria (June 30, 2009)* with SAIC's revisions and additions, are suitable for initiating the BDCP effects analysis.

Updates

Conservation Strategy Introduction and Overview

Steering Committee (SC) members continued the discussion of the Conservation Strategy Sections 3.1 *Introduction* and 3.2 *The BDCP Approach to Conservation: An Overview*. Comments included: requesting changes in the BDCP near term actions based on actions in the OCAP Biological Opinions (BOs); comment on need for small rapidly implementable water supply and habitat conservation actions to quickly address critical situation; request to add upstream water operations to the Strategy as per OCAP BOs; request to revise discussion on outflow to reflect high level of uncertainty of benefits to fish; request to add discussion about the extent of lands that would be converted to tidal marsh and effects on land use; desire to continue to make progress on an approach to terrestrial habitat planning; question as to the disposition of previous comments on these sections; request for more discussion of impacts of conservation actions on the surrounding communities.

Additional discussion centered on the schedule for release of the draft of Chapter 3 *Conservation Strategy* due out July 17, as well as on the anticipated contents of the chapter. The biological goals and objectives and the monitoring and research sections will be included in draft Chapter 3, but specific metrics and targets will not be included in this draft of Chapter 3. Karen Scarborough stated that expert technical teams will be assembled to develop metrics and targets. Also, discussed was the tentative schedule for the other chapters of the Plan.

Public Comment:

Steve Mayo representing the San Joaquin County Multi-Species Habitat Conservation Plan (SJMSCP) asked about section 3.2.5 *Measures to Conserve Terrestrial and Wetland Wildlife and Plants*. Mr. Mayo expressed concern that this section is too brief for a Habitat Conservation Plan. Mr. Mayo identified the need for more coordination and cooperation between the BDCP and SJMSCP and the other four surrounding county HCPs. He also expressed a need for coordination among the plans for the purpose of governance and implementation.

Karen Scarborough responded that work by BDCP on terrestrial species is ongoing and that section 3.2.5 is a placeholder for adding content. Terrestrial species conservation measures are in development and will not be included in upcoming draft of Chapter 3 *Conservation Strategy*. Under Secretary Scarborough stated there has been ongoing coordination for the past few years around the SC table and directly with the five surrounding counties and their respective HCP sponsors. BDCP will look to draw on the work of adjacent plans and DFG is currently working on an approach to integrate BDCP with the surrounding plans. Work is ongoing with additional

detail for section 3.4 *Conservation Measures* to be further developed, as summarized in sections 3.1 and 3.2. Details on terrestrial will be forthcoming and will be incorporated into the Plan.

Parameters for Water Conservation Measures

The updated *HO#1 Draft Proposed Long-Term BDCP Water Operations Range of Criteria (June 30, 2009)* (see associated handouts/documents) was presented and discussed by SC members. Discussion of each item (Items #1-#9) in the handout.

Discussion of Item #1 North Delta Diversion Bypass Flows:

The discussion of Item #1 in the handout regarding flows in the Sacramento River (“bypass flows”) that would bypass the new North Delta diversion included: a request for clarification on how real time monitoring and operations could function; clarification that criteria in handout columns A and B are not the adaptive ranges, but rather provide information that may help provide the basis for determining adaptive range limits; clarification provided regarding the footnote concerning “no penalty for Yolo bypass” with example provided of how flows over Fremont Weir would not be counted against North Delta bypass flow criteria; request a change in terminology for “no penalty” with more clarifying text or graphic; clarification that criteria for fish screens include sweeping and approach velocities based on FWS requirements for Delta smelt which are more stringent than NMFS requirements for salmon; suggestion that we may want to change to the salmon screening requirements; question and clarification that flow criteria in Item #1 are based on the assumption that physical habitat restoration will be in place and that the effects of that restoration on hydrodynamics would be evident; request for a consideration of higher base flows (i.e., higher minimum bypass flows) in the Sacramento River, if needed; request for a change in the text reading “avoid and minimize” to read “reduce” in the discussion of objectives in Item #1; request that the placeholder “X%” (flows above the required base flow) be filled in with actual number values for next SC meeting and comment that it is beneficial to fish that “X%” values will limit the ability of the North Delta diversions to affect the hydrograph; suggestion to consider mimicking a more natural flow regime (hydrograph) for Delta inflows and outflows; suggestion that more specific rules be considered regarding 1st flush and 2nd flush of the year (i.e., first large flows in late winter or early spring); suggestion to consider different “X%” (flows above the required base flow) values for dry and critical dry years; suggestion to consider real time monitoring and adjustments in operations with robust monitoring.

Chuck Hanson described the premise for the basis of the “X%” over the baseflows. These include consideration of fish cues, synchrony, environmental cues, transport of fish and organic materials, natural hydrograph, seasonal variability, and the more important months for covered fish species.

Paul Cylinder stated that SAIC will have proposed X% values ready for the next SC meeting.

Public Comment:

Barbara Byrne representing the Planning and Conservation League asked if the goal is to prevent tidal transport upstream. She also inquired about what the ranges represented; for example, does Range A mean stalled transport and the center column and Range B result in progressively more downstream transport?

Armin Munevar responded that the goal is to prevent tidal transport upstream. He further indicated that Range A does not mean “stalled transport,” but rather Range A represents achievement of continuously uni-directional flow at the upper control point (Sacramento River below Sutter Slough).

Discussion of Item #2 South Delta Channel Flows:

The discussion of Item #2 regarding operations of the existing South Delta diversions and flows in South Delta channels included: corrections to be made to the data for the December Old and Middle River (OMR) flows; discussion of San Joaquin River inflow opportunities related to BDCP; and a request that the language, “export share would increase at higher flows,” be deleted.

Public Comment:

Barbara Byrne (PCL) asked, with respect to flows under Range A, whether there are actions or triggers in other places in the document, such as in the conservation measures, that would be protective of smelt in the dry and critical years, and change the negative draw-downs? Armin Munevar responded that the current FWS BO on smelt allows for discretionary operations.

Discussion of Item #4 Delta Cross Channel Gate Operations:

The discussion of Item #4 regarding the operation of the Delta Cross Channel (DCC) gates included: revisions were made to Item #4 to better reflect DCC operations as presented in the OCAP BO; question whether hydrodynamic modeling will include guarantees to meet water quality standards.

Discussion of Item #5 Rio Vista Minimum Instream Flows:

The discussion of Item #5 regarding minimum Sacramento River flows at Rio Vista included: clarification that the intention in this criterion is to apply D1641 September-December standards and to create rules for the remainder of the year; a request was made that North Delta Water Agency standards be used.

Discussion of Item #6 Delta Inflow and Outflow:

The discussion of Item #6 regarding standards for Delta inflow and outflow, included: concern that text in column B in the statement labeled ** in the handout under Item #6 is proposing alternatives outside of BDCP control. Karen Scarborough responded that this is understood, but suggests that we leave language in the table for now.

Barbara Byrne (PCL) inquired about the status of the sensitivity analysis discussed at last Friday's SC meeting? Armin Munevar responded that it is still in process.

Discussion of Item #8 In-Delta Agricultural and Municipal & Industrial Water Quality Requirements:

The discussion of Item #8 regarding water quality standards for agricultural and municipal & industrial (M&I) uses included: request that the word "Maintain" be stricken; request that text be added regarding contractual agreements between DWR and NDWA. NDWA pointed out that NDWA contract criteria are not the same as D-1641 criteria.

Public Comment:

Ann Spaulding (City of Antioch) asked why the D-1641 water quality compliance point would be moved from Emmaton to Three-mile Slough and what impacts would be expected on western Delta water quality. Jerry Johns responded that the contract with NDWA includes a provision for moving the site if certain criteria are met. J. Johns further explained that the effects on water quality will be evaluated as part of the effects assessment on the BDCP.

Discussion of Item #9 Habitat Restoration Targets included:

The discussion of Item #9 regarding restoration acreage targets for physical habitat, included: clarification that the channel margin enhancement measures (20 linear miles) are not included in the total of 80,000 acres of tidal habitats and floodplain restoration; concern was expressed that 80,000 acres of restoration is an aggressive target; preference that government and NGO-owned land be considered first in planning and implementing restoration actions; clarification of whether habitat types have been mapped out definitively; comment in opposition to the use of eminent domain to acquire lands for habitat restoration.

Public Comment:

Julia Mclver representing Yolo County asked whether Yolo bypass acreages were included in 80,000 total acres. Ms. Mclver also inquired how the EIR/EIS will address the effects analysis where specific restoration locations are unknown. Paul Cylinder responded that the action to enhance floodplain in the Yolo Bypass is not included as part of the 10,000 acre restoration goal for new floodplain habitat. Jerry Johns responded that EIR/EIS will include differing levels of analysis for different BDCP implementation actions: 1) site specific evaluation of restoration actions that will occur early in the implementation of the BDCP, 2) and more programmatic analysis

of habitat restoration where specific sites are not known at this time. Those actions will undergo further environmental review at the time those specific projects are proposed.

Steering Committee members concurred that habitat restoration numbers provided in the handout, with SAIC revisions/additions, are suitable for SAIC to use in initiating the BDCP effects analysis.

Expression of desire to start the BDCP effects analysis as soon as possible.

Chair Karen Scarborough stated that the SC's next task is to develop Near Term conservation actions including operational criteria.

Attendees

Management and Representatives

Karen Scarborough (Chair, The Natural Resources Agency)
Marc Ebbin (DWR, The Natural Resources Agency)
Will Stelle (The Natural Resources Agency)
Laura King Moon (State Water Contractors)
Joe Grindstaff (California Bay-Delta Authority)
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)
Richard Roos-Collins (American Rivers)
Kim Delfino (Defenders of Wildlife)
Ann Hayden (EDF)
Greg Thomas (NHI)
Anthony Saracino (The Nature Conservancy)
Gary Bobker (The Bay Institute)
Kenny Watkins (CFBF)
Greg Gartrell (CCWD)
Steve Ottemoeller (Friant Water Authority)
Melinda Terry (North Delta Water Authority)
Carl Wilcox (DFG)
Dan Castleberry (FWS)
Ted Meyers (NMFS)
Paul Cylinder (SAIC)

On phone

Ron Kino (Mirant)

Other attendees

See sign-in sheets
