

**Bay Delta Conservation Plan (BDCP)
Steering Committee (SC) Meeting**
January 16, 2009, 9:00 a.m. to 12:00 a.m.
California Farm Bureau Federation Conference Room
2300 River Plaza Ave, Sacramento, CA

Draft Meeting Notes

Associated documents/handouts:

- Agenda
- Draft BDCP Meeting Notes October 31, 2008
- Draft BDCP Steering Committee Schedule of Agenda Topics
- Working Draft BDCP HCP/NCCP Document Outline
- Draft BDCP Planning Priorities for January and February 2009
- Draft Schedule for BDCP Development November 2008 to July 2009
- BDCP Development Process and Schedule
- BDCP Public Outreach Activities – January 2009-June 2009

Action Items and Key Decisions

- Draft BDCP Meeting Notes October 31, 2008 approved
- The Steering Committee declined to offer Central Delta Water Agency membership on the SC. Instead, the SC offered the agency an alternative approach to engagement in the BDCP process.

Updates

- Revised NOI has been sent to Washington, DC and is expected to be published in the Federal Register within about 3 weeks; public scoping meetings have been scheduled for March. The NOI has not been modified substantially, only the purpose and need sections have been revised.
- The Nature Conservancy (TNC) released their Conservation by Design process for the Delta including recommendations for a peripheral canal as a component in ecosystem conservation.
- Leo Winternitz will begin to work for TNC on February 1.
- NMFS posted a partial draft of their OCAP biological opinion (BO) on their web site yesterday. Reasonable and prudent alternatives were not included in this draft. March 2 is the Court-mandated due date for the final BO. NMFS is seeking a 90-day extension from the Court for completion of the BO.
- Delta Vision Task Force recommendations have been sent to the Governor and the legislature
- Litigation by Metropolitan and the State Water Contractors is imminent regarding the USFWS BO on delta smelt.
- Steering Committee will meet on the 2nd and 4th Fridays; the BDCP web site will provide schedule information for working group and technical team schedules.

BDCP Development Process and Schedule

The updated BDCP development schedule was presented for November 2008 to July 2009 (see associated handouts/documents).

Working Draft BDCP HCP/NCCP Document Outline

Paul Cylinder presented the *Working Draft BDCP HCP/NCCP Document Outline* (see associated handouts and documents).

SC members discussed observations and concerns related to the document including: the desire for the addition of a section describing canal construction; the need for a description of methodologies and approaches in Chapter 3; clarification about ESA Section 7 compliance on modified operations with OCAP vs. ESA Section 7 compliance for the BDCP HCP and clarification of relationship between BOs from NMFS and FWS; preference for a single ESA Section 7 process; switching the outline order of Chapters 6 and 7; schedule for delivery of updated chapters; process for coordinating BDCP documents and decisions with preparation of the EIR/EIS; request for clarification regarding how upstream issues will be addressed; request for discussion of current understanding of climate change and how its effects are built into conservation measures, what climate change parameters will be included in modeling, and how the EIR/EIS will address climate change; section of the document for addressing critical uncertainties and adaptive management; concern regarding the schedule for the BDCP alternatives development.

Draft BDCP Steering Committee Schedule of Agenda Topics

Paul Cylinder presented the *Draft BDCP Steering Committee Schedule of Agenda Topics* (see associated handouts and documents).

Draft BDCP Planning Priorities for January and February 2009

Karen Scarborough presented an overview of the *Draft BDCP Planning Priorities for January and February 2009* (see associated handouts and documents).

SC members discussed the document including: the schedule for reconvening the working groups and technical teams during the next 2 months; the role of the Integration Team; process for addressing interim measures vs. development of near-term BDCP actions; process for refining a canal alignment and alternative routes and locations for facilities; approach to addressing impacts to terrestrial species, including mitigation; how to address changed circumstances; clarification of the term “in-Delta”; BDCP scope relative to establishing inflow parameters; other stressors funding variables; how future updates to goals and objectives will be handled; need to develop promptly our approach to the impact analysis; need to address BDCP implementation cost and funding issues; refinement of the existing ecological conditions chapter; communications with adjacent local governments sponsoring regional HCP/NCCPs; and coordination with parties that may become additional signatories to permits.

Public comment:

Linda Dorn from the Sacramento County Regional Sanitation District wants to be included on the notices for the working groups and technical teams meetings.

Integration Team

Laura King Moon reported on efforts to address outflows. The NGOs and PREs have reviewed the scientific basis for outflow criteria. While there is not agreement on the interpretation of the science, they are moving forward on identifying outflow criteria. The Integration Team will meet next week to discuss this topic and expect to provide the SC with a report by January 30th.

Working Groups, Technical Teams and Liaisons

Public Outreach Liaisons

Karla Nemeth (co chair) presented *BDCP Public Outreach Activities – January 2009-June 2009* (see associated handouts/documents). She highlighted briefings of the county boards of supervisors within the Delta. The boards requested briefings in advance of public workshops. Twelve scoping meetings regarding the NEPA/CEQA process are scheduled for March. SC members requested reports on the briefings.

Implementing Structure/Governance Working Group

Richard Roos-Collins (co-chair) reporting: The co-chairs developed and distributed a questionnaire on governance topics and responses from WG members to it have been collated. These responses will be discussed at today's WG meeting to support development of BDCP governance elements.

Science Liaisons

Wayne Spencer reported on the Independent Science Advisors (ISA) Adaptive Management workshop. The ISA's report is in its third internal review. The final version is expected to be delivered between January 26 and February 2. According to Wayne, the workshop was very productive and had good energy and synergy. The ISA were aware of draft status of the BDCP documents provided and so did not view them as final; rather they focused on the big picture. They constructed an adaptive management framework based on their experience with other adaptive management programs, using lessons learned from successful and unsuccessful programs. Wayne concluded with a summary of the draft report's contents. Wayne will give a full presentation of the ISA report at the February 13 SC meeting.

Update on DRERIP Evaluations

Dave Harlow reporting: Four DRERIP teams have convened to evaluate different sets of BDCP conservation measures (tidal marsh, floodplain, hatcheries/harvest, water quality). They had excellent background material, with two day sessions involving about 40 technical experts. There was excellent participation. Agency participation was very helpful. Over the next two weeks the teams will be preparing evaluation write-ups and scoring of conservation actions.

SC members asked questions about the process including: how evaluation results of the DRERIP conceptual models will inform BDCP conservation measures; when SC will receive the DRERIP evaluations/reports; effect of the timing of DRERIP results on the current BDCP schedule.

Membership Working Group

Karen Scarborough reporting: The Central Delta Water Agency has indicated a willingness to sign the BDCP Planning Agreement, but does not support the BDCP 2007 Points of Agreement. She offered CDWA to continue to participate as an interested public and an alternative conduit of public outreach process to CDWA. SC members concurred. Karen, as SC chair, will provide a letter indicating the Steering Committee's response to CDWA.

Attendees

Management and Representatives

Karen Scarborough (Chair, The Resources Agency)

Will Stelle (The Resources Agency)

Laura King Moon (State Water Contractors)

Marc Ebbin (The Resources Agency/DWR)

Karla Nemeth (The Resources Agency)

Leo Winternitz (California Bay-Delta Authority)

Tom Howard (SWRCB)

Jerry Johns (DWR)

Sue Fry (USBR)

Brent Walthall (Kern County Water District)

Roger Patterson (Metropolitan)

Ara Azhderian (SLDMWA)
Greg Zlotnick (Santa Clara Valley)
Tom Birmingham (Westlands)
Jason Peltier (Westlands)
Jill Duerig (Zone 7)
Richard Roos-Collins (American Rivers/Natural Heritage Institute)
Kim Delfino (Defenders of Wildlife)
Ann Hayden (Environmental Defense)
Greg Thomas (Natural Heritage Institute)
Anthony Saracino (The Nature Conservancy)
Kenny Watkins (California Farm Bureau Federation)
Greg Gartrell (Contra Costa Water District)
John McCamman (DFG)
Ren Lohofener (USFWS)
John Engbring (USFWS)
Russ Strach (NMFS)
Paul Cylinder (SAIC)
Pete Rawlings (SAIC)

On phone

Steve Ottemoeller (Friant Water Authority)
Tom Howard (SWRCB)
Ron Kino (Mirant)
Melinda Terry (North Delta Water Authority)
Steve Rothert (American Rivers)
John Cain (Natural Heritage Institute)
Gary Bobker (The Bay Institute)
Wayne Spencer

Other attendees

See sign-in sheets
