Chairman's/Executive Director's Report: March 27, 1997

1. Call to Order/Attendance: Call on Margit.

2. Public Comments: This is the time for public comments on any matter that is NOT on the agenda.

3. Minutes of the January 23, 1997 Meeting. Needs MOTION; SECOND; VOICE VOTE.

4. Chairman's Report

I want to welcome the new and returning Commissioners here tonight. Bob Calone and I were re-elected as reclamation district representatives. Council Member Christopher Cabaldon is the new Sacramento Area Council of Governments representative, replacing Council Member Heather Fargo. Mayor Fred Harris of Rio Vista is the new Association of Bay Area Governments re representative. Council Member Gloryanna Rhodes of City of Lathrop is the new San Joaquin Council of Governments representative. Welcome to all of you, and I want to thank Heather Fargo for her four years of service on the Commission, including serving as Vice Chair for all four of those years..

The next regular meeting of the Commission is scheduled for Thursday May 22, 1997, to be held here in the Jean Harvie Community Center. A meeting of the Budget, Finance and Administration Subcommittee is scheduled for Wednesday, April 30, 1997 at 4:00 p.m.

5. Attorney General's Report. Call on DAN SIEGEL.

6. Executive Director's Report.

In mailing packet:

* OAL approved the Commission's regulation, formerly know as Utilities and Infrastructure P-3, on January 28; the Rulemaking File was received on March 24.

Distributed at the Meeting:
* New Roster of Commissioners
* Letter to Yolo County
* Chart showing peak inflows and outflows at several dams during January's floods.
* Figures on Williamson Act from current annual report.
* AB 979, Abandoned Vessel Legislation (Item 10)
* Draft Letter to the Governor re FEAT 30 day report (Item 13)
* Copy of South Delta and Central Delta Water Agencies letter on Governor's FEAT report (Item 13)
* Information about CALFED storage and conveyance alternatives (Item 14).

- Meetings since the last meeting:

Biosolids Conference: Jan 29
Bethel Island Tour with Torlakson and Leach. Jan 31
Tour of Decker Island: Feb 3
Resources Delta Levee Habitat Advisory Committee: Feb 7 and March 7
Tour of site of Delta Educational Center near Jersey Island: Feb 10
In- Channel Islands Group: Feb 13
Senator Dianne Feinstein's Flood follow-up meeting; Feb 20
Resources and Fish and Wildlife Service re work windows for in channel work: March 12
Department of Conservation: Beyond the Williamson Act: March 13
Hearing on SB 172, Abandoned Vessel Legislation: March 11
Big Break: Meeting Feb 12 in Antioch
High Water Meeting at SLC: Feb 26 and March 17; follow-up on April 3
CALFED workshop on Storage and Conveyance: March 20
Grasslands Bypass First Qtrly meeting: March 25: Good news, the monitoring for Oct Nov Dec showed NO toxicity, even at the site directly downstream of the point where the drain enters the River.

Yolo County approved General Plan amendment to conform with the regional plan on March 18. That is the last local government general plan amendment. In your packet is a letter .

Sludge Issues:
San Joaquin County will consider a proposed ordinance which bans use of biosolids in the County on April 8.

High Water Issues:

Controlling Vessel Traffic on Delta Waterways:

* I sent a letter to the Coast Guard; no answer.
* DBAW has asked for a formal AG's opinion about DBAW's authority; response will take a few months.

Regarding Marinas Upstream from Bridges:

* SLC has been hosting meetings with local, state and federal agencies, reclamation districts, marina owners and engineers to discuss the issue; the enhance communication between the agencies; to develop guidelines for water flow which must be met to maximize safety. Two meetings to date; third meeting in early April.

New Study of Delta Levees:

Agreement between DWR and Corps to carry out Phase II of Sacramento-San Joaquin Delta Investigation which will study all aspects of bringing Delta Levees to PL 192-82 ag standards; that is 1.5 feet above the 300 year flood. The cost of the study will be 3.8 million and will be completed in 3 years.

Finally, the Commission received a note from Len Herendeen thanking you for the resolution of appreciation.

7. Pending Projects Memo. PAT: This memo is for Commission information only; are there any questions or comments?

8. Report from the Levees Subcommittee: PAT: (read attached)

9. Report from the Budget, Finance and Administration Subcommittee: PAT: (read attached)

Budget Hearing on 3/31.

10. Consideration and Possible Adoption of Position of Support for SB 172: Abatement of Abandoned Vessels. PAT: Call on Margit.

MARGIT: Last year the Commission held hearings on this issue; the Commission directed staff to work with members of the Legislature to develop legislation which would address abandoned vessel removal and disposal. I have been working with Senator Rainey, of Contra Costa County, on this matter. Co-sponsors of the bill include Senator Johnston, and Assembly members Torlakson and Leach. You have before you a staff report which provides a brief analysis of SB 172, updates you on the status and suggests the Commission may want to take a position of support. (Minor Changes)

In the meantime, I have become aware of a second piece of legislation, sponsored by Assembly Member Lynn Leach, which you received tonight.. Her proposed legislation, AB 979, more closely follows the model of the vehicle abatement program. AB 979 allows Counties to set up a new service authority in that County to abate abandoned vessels; SB 172 allows the County sheriffs to abate; no new authorities would be created. AB 979 would set up a County by County participation; SB 172 is statewide which would allow all the Counties to participate. Both would seek funding from the Boating and Waterways Fund.

With these two pieces of legislation being considered, the Commission may want to commend both legislators, support SB. 172 and ask that AB 979 be merged with SB 172 to ensure that 1. A regionwide solution is developed, 2. That the County sheriff's can carry out vessel abatement programs, and 3. That adequate funding be provided.

PAT: Questions of staff?
Public Comments?
Vote: Need motion, second and voice vote (to direct staff to send letter(s) of support.

11. Consideration and Possible Adoption of Position Requesting 10% Penalty Fees be Applied to Repayment of $250,000 Loan from the Environmental License Plate Fund.

PAT: Call on MARGIT.
MARGIT: The original legislation included two elements to help fund the Commission. 1. A loan of $250,000 from the ELPF, and 2. A 10% surcharge on all fines collected in the Delta. The fine program has now been deleted from the Act. Approximately $14,000 has been collected. This item would ask the Legislature to direct the penalties monies collected toward repayment of the Commission's loan.

PAT: Questions of Staff?
Public Comments?
Vote: Need motion, second, and voice vote (to direct staff to send letter to Senator Johnston to add this to a spot bill)

12. Consideration and Possible Approval of Contract with Sonoma State University, Professor Chris Kjeldsen to Survey Delta In-Channel Island Restoration Site and Prepare CALFED Category III Grant Application for Restoration Project.

PAT: Call on MARGIT.
MARGIT. The Commission has unallocated funds in its current budget. The Commission should consider if it wants to contract with Sonoma State University to carry out this task during this fiscal year. The project is part of project to study an experiment to protect in-channel islands, and develop guidelines that others can use to do work on in-channel islands. Protection of in-channel islands is a policy of the Commission's plan; it is also a "common element" in the CALFED program. The project would hopefully be funded by a CALFED grant; an application has been submitted to the EPA for funds to prepare and distribute the guidelines. It is important to do this because the agencies do not currently agree on how the islands should be protected; what material should be used, where the material should be placed, etc. This is a policy and research area where the Commission can provide leadership, helping forge a unified approach to protecting and enhancing Delta in-channel islands.

(Kjeldsen can't make it)

PAT: Questions of staff?
Public Comments?
VOTE: Need motion, second, Voice vote.

13. Consideration and Possible Adoption of Letter to Secretary Wheeler Regarding Flood Emergency Action Team 30 Day Report.

PAT: Call on MARGIT.
MARGIT: The Governor's Team is looking at flooding issues Statewide. The Commission is aware of and has been actively working on flooding issues in the Delta the last four years. I have drafted a letter for your review, to forward to Secretary Wheeler regarding Delta flooding issues which incorporates elements in the staff report, and specifies other areas of concern to Commission: vessel traffic and marinas/vessels upstream from bridges and emphazies need to study dredging of certain channels, tentative notice of FEAT workshop on Monday, April 21, probably J.H.C.C., no time.

PAT: Questions of Staff?
Commission discussion ?
Public Comment?
Vote: Needs motion, second, and voice vote.

14. Oral Update on CALFED Activities and Studies.

PAT: Please make brief report on BDAC meeting. Then, Call on Margit.

MARGIT: The most important CALFED meeting held recently, was the public workshop on Storage and Conveyance. Commissioner Mello was also in attendance and may have some additional comments. The modeling team has developed 16 different scenarios that will be analyzed as part of the environmental document. I have reproduced and distributed copies of a chart which summarizes and describes the 16 alternatives, and maps of the 16 alternatives. The 16 alternatives all fall within the three basic alternatives: 1) no change to the conveyance system, only changes in the management of the system; 2) through Delta conveyance and 3) an isolated transfer facility. I would like to very quickly review the 16 with you, and answer questions. Comments on whether these alternatives represent a broad range of alternatives for modeling are due on April 6. As is my usual practice, I will be drafting a comment letter for submittal based on the Commission's adopted policies in the regional plan. If there are any alternatives the Commission would like studied, please let me know. In addition, the next big release of information will be the release of the ERPP Ecosystem Restoration Plan at a public meeting on April 8. You will receive a briefing on that plan at the May meeting.
(Review the 16 alternatives)

PAT: Questions of staff?
Comments from the public?
Comments from the Commission? Commissioner Mello?

(NO ACTION)

15. Election of Officers.

For EACH:

Open Nominations.
Close Nominations.
Discussion.
Voice Vote.

16. Reorganization of Subcommittees

PAT: Describe the Subcommittees, note Heather Fargo last member of Legislative Subcommittee. Ask members to express interest in participating. Note that any Commissioner can attend any Committee meeting. Note, that the Subcommittee will select a Chair from its membership to report to the full Commission. Ask if Commissioners will be continuing on existing Subcommittees.

17. Creation of Subcommittee to Address CALFED Issues.

Pat: Call on Margit.

MARGIT: CALFED is entering a period where they are releasing important components of the overall program, such as the storage and conveyance information. Another upcoming release is the ERPP in April. The entire Draft environmental document is scheduled to the released in the Fall. The idea of setting up a Subcommittee would be to allow those Commissioners interested in the CALFED program, and its possible impacts to land uses in the Delta, would be able to review and discuss the program proposals in more detail. The Subcommittee would make recommendations to the full Commission for action. At the last meeting, Commissioners Curry and Mello indicated an interest in serving on a CALFED Subcommittee.

PAT: Discussion? (If interest, ask for volunteers tonight, allow others to join later.)

18. Adjourn.