

Summary Minutes of the  
Delta Protection Commission Meeting  
Thursday, January 27, 2011

San Joaquin County WorkNet Building  
56 South Lincoln Street  
Stockton, California 95203

ADMINISTRATIVE AGENDA

**1. Call to Order/Flag Salute.**

Chair Nottoli called the meeting to order at 5:30 p.m.

**2. Welcome Commission Members.**

Chair Nottoli welcomed Commissioners Todd Ferrera and Eric Gillies. Commissioner Ferrera is the Deputy Secretary for External Affairs at the Natural Resources Agency. Commissioner Gillies is the Project Manager at the State Lands Commission.

**3. Roll Call.**

Present: Chair Nottoli; Commissioners Ferguson, Ferrera, Gillies, Goulart, Reagan, Ruhstaller, van Loben Sels, and Vick.

Absent: Commissioners Cabaldon, Eggman, McGowan, and Scriven.

**4. Public Comment. Opportunity for Members of the Public to Address the Commission on Items Not on the Agenda.**

No one addressed the Commission.

CONSENT AGENDA

**5. Approve Minutes of December 16, 2010 Meeting**

**6. Receive Informational Update on Appointment of Committee Members to the Delta Protection Commission Advisory Committee (DPAC) Consistent with the Charter Adopted by the Commission.**

**7. Receive Informational Update on the Delta Agri-Tourism Public Workshop to be Held on February 2, 2011 Sponsored by the University of California, Davis Small Farm Program and Co-Sponsored by the Commission and Department of Food and Agriculture.**

**8. Receive Information Update on the National Heritage Area Process by Consulting Team Relative to the Feasibility Study Timeline.**

**9. Receive Informational Correspondence to the California State Legislature in Relation to the Primary Zone Study of the Delta.**

**10. Receive Annual Report to the Governor and the Legislature on the Significant Accomplishments of the Delta Protection Commission for the Year 2010.**

Vice Chair Reagan moved approval of the Consent Calendar; Commissioner Ruhstaller seconded. The Consent Calendar was approved unanimously by voice vote.

**REGULAR AGENDA**

**11. A. Elect Chair of the Commission, From Members Representing a County Board of Supervisors, for a Term of Two Years, Effective February 24, 2011; and  
B. Elect Vice-Chair for a Term of Two Years, Effective February 24, 2011.**

Mike Machado reported that under the mandates of Senate Bill X7-1, the Commission would need to elect a Chair and Vice Chair for a term of two years. He asked for nominations.

Commissioner Ruhstaller moved to nominate Don Nottoli to serve as Chair of the Commission for a two-year term to commence February 24, 2011; Vice Chair Regan seconded. The motion was approved unanimously by voice vote.

Commissioner Ruhstaller moved to nominate Mike Reagan as Vice Chair for a two-year term to commence February 24, 2011; Commissioner van Loben Sels seconded. The motion was approved unanimously by voice vote.

Chair Nottoli thanked everyone for the nomination. He said the Commission might want to revisit the issue in the near future, as he might want to step down to allow the Vice Chair to get acclimated to the Chair position.

**12. Receive Informational Update from Phase II Economic Sustainability Plan Study Committee.**

Mr. Machado reported that a Notice of Intent to Award Contract for the ESP Study has been given to the University of the Pacific. He said before the contract could be formally awarded, a seven waiting period for protests would commence.

Chair Nottoli asked if the ESP Committee would meet with the contractors. Mr. Machado responded that staff would meet with the contractors and provide regular updates to the Committee and the Commission.

Chair Nottoli also asked that the consulting team make a formal presentation at the next Commission meeting.

**13. Receive Informational Presentation from Craig Wilson, Delta Watermaster Appointed by the State Water Board Pursuant to the Provisions of SB X7-1.**

Craig Wilson, Delta Watermaster reported that his position is a result of the water legislation under SBX7-1. Mr. Wilson said that water rights administration, water quality issues and conveyance operations were the three main reporting responsibilities of the watermaster. He distributed a handout outlining the duties of the position and ways to market a reasonable use of water.

Commissioner Reagan asked if the government or market forces would determine seniority of water rights. Mr. Wilson said that cuts across all types of rights/usage.

Commissioner van Loben Sels suggest that the watermaster meet with the three water agencies located in the Delta to gain a better understanding of water usage. Commissioner van Loben Sels then asked if there were any questions asked about what is a reasonable use of water, particularly if there are those using more water than farmers are today. Mr. Wilson responded that he did not know but that was a very good point.

Commissioner Ferguson asked if anyone was looking into how many cfs are required to sustain a healthy Delta. Mr. Wilson responded no.

Chair Nottoli asked that a presentation on cfs and delta flows be made at a future meeting.

**14. Discuss, As Needed, the Delta Stewardship Council's Delta Plan and Other Issues Related to the Delta reform Act, SBX7-1, and Possible Actions by the Commission.**

Mr. Machado reported that Commission staff attended the Delta Plan scoping meetings in Clarksburg and Stockton respectively. He said a Notice of Preparation was received on the project with a January 28, 2011 due date for comments. Mr. Machado distributed a draft comment letter and asked the Commission to make any changes necessary.

Commissioner Ferrera asked that a typo be fixed in the first paragraph.

Commissioner Ruhstaller moved approval of the comment letter with modifications; Commissioner Reagan seconded. The motion was approved unanimously by voice vote.

Chair Nottoli reported that the next draft of the Plan should be available on February 14, 2011, and future iterations would be available every two weeks.

**15. Receive Report From the Executive Director and Executive Committee, Including Informational Updates on Delta Stewardship Council and Delta Conservancy Activities, and Other Delta Initiatives and Commission Activities Underway**

Mr. Machado reported that he met with the State Lands Commission to discuss filling the vacant staff positions; met with the Department of Food and Agriculture (CDFA) to discuss CDFA's role in the ESP; and met with the Delta Stewardship Council to review the Delta Plan.

**16. Comments and Announcements From Members of the Commission and Staff.**

Matt Campbell, Office of the Attorney General (OAG) announced that the OAG has updated the State's Conflict of Interest Laws. He asked that the Commission review the updates.

**17. ADJOURN.**

The meeting was adjourned at 7:30 p.m.