

Summary Minutes of the  
Delta Protection Commission Meeting  
Thursday, May 26, 2011

Courtland Auditorium  
146 Primasing Avenue  
Courtland, California 95615

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 Susanna Schlendorf to the Commission. Ms. Schlendorf is the District Director for Assemblymember Joan Buchanan, who was appointed to the Commission as the ex-officio member.

**3. Roll Call.**

Present: Chair Nottoli; Commissioners Bugsch, Cabaldon, Eggman, Ferguson, Ferrara, Provenza (for McGowan), Mitchoff (for Piepho), Reagan, Ruhstaller, Scriven and van Loben Sels.

Absent: Commissioner Vick

**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 March 24, 2011 Meeting.**

**6. Receive Update on the 2012 Strategic Plan of the Commission.**

**8. Receive Update on the Delta Protection Commission Advisory Committee**

**9. Receive Update on Abandoned Vessels Discussion Group.**

Chair Nottoli removed Item 8 from the Consent Agenda.

Commissioner Mitchoff asked that Item 7 be moved to the Regular Agenda.

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

**REGULAR AGENDA (Items 7, 10-17)**

**7. Approve Inclusion of \$100K Limit in Delegation of Authority to Executive Director.** Commissioner Piepho asked for the reasoning for the delegation increase from \$50k to \$100k. Executive Director Machado responded that in light of the office move, many of the contracts and invoices that must be approved are well in excess of \$50k.

Vice Chair Reagan moved approval of Agenda Item 7; Commissioner Piepho seconded. The motion was approved unanimously voice vote.

- 10. Receive Presentation From San Joaquin County, Office of Emergency Response Regarding Local Flood Emergency-Planning and Preparedness & Response Grant.**
- A. APPROVE Authorization to Work With FEMA Contractor to Prepare Grant Application to Develop a Regional Flood, Emergency Planning and Response Plan In Conjunction With Reclamation Districts, Counties, and Cities Funding From Proposition 84 Allocated By Senate Bill 2X-1 As Part of the FloodSafe Initiative.**
  - B. APPROVE Serving as Lead Applicant for Grants with Reclamation Districts, Counties, and Cities.**

Ron Baldwin, San Joaquin County Office of Emergency Response stated that a joint application for FEMA there a programs and get jurisdictions to work out applications and get a lead agency. Mr. Baldwin asked the Commission to be an applicant with the county for FEMA.

Commissioner Piepho stated that she wanted to have more information on the Commission's role with the grant. She stated that was not enough time to review the proposal, and she is particularly concerned about liability for the Commission.

Mike Machado responded that all the information would come out of the planning process and FEMA would deal with a coordinated effort. Mr. Machado said that the County and the Commission would try to put together an application to funnel the responses. In addition, the Commission would not handle the work but would oversee the process. He further said that the application would be an opportunity to be first out of the box to go after funds that are available for emergency response and planning. Mr. Machado went on to say that while the application was about emergency preparedness and not levee maintenance, details would have to be built into the application as to allowing for a head start for the Commission.

Commissioner Provenza stated that for some time the County of Yolo has been interested in, and believes it is essential for a regional approach to emergency response.

Commissioner Cabaldon stated that he is supportive of the plan but does not want to have a separate plan and a coordinated effort should not replace consolidation as the counties and the Commission should marshal resources together.

Chair Nottoli asked when staff would return to the Commission with an application. Mr. Machado responded that there is time to work on the application as the process will begin in the fall 2011 and extend until 2012.

**11. Receive Presentation from California State Water Resources Control Board (SWRCB) Representative Relative to In-Delta Flows.**

Les Grober, SWRCB said that the department was created to clean water acts and develop flow criteria through formal processes that are specified in law. Mr. Grober said that Delta flow criteria processes are different from other state flow criteria.

**12. Receive Update From Discover the Delta Foundation.**

Wendy Martin, Executive Director, reported that the Foundation has built and opened its farmers market. Ms. Martin also reported that the Foundation is partnering with other groups to build and open a family science camp on Hog/Spud Island in San Joaquin County. The camp will serve as an educational facility for students.

**13. RECEIVE Status Update Presentation From Economic Sustainability Plan Phase II Consultant Team.**

Mike Machado reported that the working draft of the ESP would be available by June 16, 2011 for the June Commission meeting. He said the Commission meeting will only deal with the ESP and has no other items on the agenda. He said there has been on-going dialogue with the DSC and is seeking to schedule a meeting between DPC staff, economists and DSC staff.

Chair Nottoli asked that a Commission meeting be scheduled in June to review the draft ESP. He also asked that a letter be sent to the legislature advising of the progress of the ESP.

Dr. Jeff Michael, UOP said that the consultants were working with an engineering team and has 15 chapters outlined for the draft ESP. He said the consulting team is looking at areas of economic development and working mostly on baseline conditions and trends. He further stated that the group is trying to reaffirm what was stated in Phase I and is very focused on the Primary Zone and some resource related industries in the Secondary Zone. Dr. Michael stated that the group is not assessing short run impact of economic sustainability in the delta—only long run. Some of the findings included Primary Zone population declined by 6%, the population has a low level education, recreation/tourism are about 9% of the jobs in the Delta, and on the flood control side, not all levees are in poor condition and a few delta islands are expendable. He said that the group would be looking at government and health services in the Delta, and doing an assessment on infrastructure in flood communities. Common themes, concerns and issues include water exports and recreations and identifying issues related to the Delta brand as well as permitting, flood control, transportation and the retail industry.

Commission Piepho said that she had concerns about openness and transparency with the study. She said there is a disconnect between the consultants, the Commission and Commission staff. She asked about the information that came from the focus groups and warned that the public should have been invited to those meetings as the public must have the right to attend, and asked that progress reports on the study be made available to Commissioners. She said she did not understand the flood aspect of the presentation or expendable island or the population and asked how levees and flood control be incorporated into the report as the ESP did not discuss those topics.

Mike Machado responded that he understood the need for openness; however, the process is at the information gathering states. He said the there would be three public hearings and the comments that derive from the hearings would be brought back to the Commission.

Commissioner Cabaldon stated that is essential that the work product be non-biased, solid and driven by the Commission—not by stakeholders. He also said the research should be as protective as possible.

Commissioner Provenza asked if the study team looked at industry/businesses that support agriculture. Dr. Michael responded yes, as it is part of the economic industry and is looking at value added industries.

Commissioner Piepho asked how the study team would select stakeholder and/or focus groups. Dr. Michael responded that Margit Aramburu would handle outreach for the team.

**14. DISCUSS the Delta Stewardship Council's Delta Plan and Other Issues Related to the Delta Reform Act, SB X7-1, and Possible Actions by the Commission.**

There was not discussion on this item.

**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.**

Mike Machado reported that staff hosted meetings along with the Delta Stewardship Council (DSC) on the consistency of the Land Use and Resource Management Plan for the Delta (Management Plan) with the co-equal goals. Discussions also included agriculture and ecosystem restoration and the co-equal goals. Meetings were also held with DSC staff and Delta counties on land use, flood control, and emergency preparedness.

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

Alex Westhoff, Environmental Planner, gave an update on the NHA feasibility study. Mr. Westhoff reported that three public meetings will be held in 2011, the draft feasibility study will be presented to the Commission in September, with the final study submitted to the Commission in November for consideration and possible adoption. Upon adoption of the study, staff will conduct outreach to a congressional representative for presentation of the study to Congress for consideration of awarding the NHA designation.

Commissioner Eggman announced that she would be unable to attend the June meeting.

**17. ADJOURN.**

The meeting was adjourned at 9:30 p.m.