

Summary Minutes of the
Delta Protection Commission Meeting
Tuesday, September 25, 2011

Jean Harvie Community Center
14273 River Road
Walnut Grove, California 95690

ADMINISTRATIVE AGENDA

1. Call to Order/Flag Salute.

Chair Nottoli called the meeting to order at 5:40 p.m.

2. Welcome Commission Members.

Chair Nottoli welcomed Commissioner Chris Ledesma. Commissioner Ledesma is a city council member for the City of West Sacramento and will serve as the alternate to Commissioner Christopher Cabaldon.

3. Roll Call.

Present: Chair Nottoli; Commissioners, Eggman, Ferguson, Ferrara, Ledesma (for Cabaldon), McGowan, Nomellini (for Scriven), Piepho, Reagan, Ruhstaller, Shubert, Trujillo, van Loben Sels, and Vick.

Absent: Commissioner Bugsch

Regular Agenda

4. Receive Presentation From Consultant Team on the Draft Economic Sustainability Plan (ESP) for the Sacramento-San Joaquin Delta.

Mike Machado reported that the draft ESP is based on research conducted during the past seven months. He said the draft ESP was reviewed by the ESP committee on October 10, 2011 and the committee is recommending that the Commission approve the ESP for forwarding to the Delta Stewardship Council. Mr. Machado also reported that the draft ESP contained changes suggested by the ESP Committee and suggested changed by various Commissioners. Mr. Machado noted that Chapter 12 was changed and a redlined version was provided to the Commissioners and public. Moreover, comments regarding the application of findings and the levees portion in the ESP were incorporated in a letter of transmittal. Mr. Machado announced that a peer review of the draft ESP would take place on November 1st at the Ryde Hotel and November 2nd in Downtown Sacramento. The process would consist of deliberations by the peer review team. The team will release initial comments and issue a public report in December. Any amendments to ESP, based on the peer review, will be handled in December.

Dr. Jeff Michael, University of the Pacific went over the process of compiling the ESP. Dr. Michael reviewed the changes on Chapter 12. XXXXXX

Commissioner McGowan stated that part of the motivation should be language to fully assess viability and more analysis needs to be done before another governing body sets up shop in the Delta. He also stated that if the governing body is not a JPA, then the governing body should be the Commission. Commissioner McGowan also said that the documents should address levees by stating the need to deal with the flexibility for FEMA and should seek funding for base elevation. Vice Chair Reagan said that he echos the concerns for a JPA or other agency

Commissioner Nomellini stated that that any governing entity should be approved by the Commission.

Michael Crow cautioned that any action taken at the meeting be precise in language to be forwarded to the DSC, and the action has to be subject to revision by the consultants. Mr. Machado noted that any recommendations are the product of the work document and would therefore risk criticism from the DSC if the commission were to go off track. He said any new recommendation must be reflected and/or supported by the ESP document

Commissioner McGowan asked that the last sentence on General Recommendation #2 should read “impacts should be further developed”. Commissioner Nomellini asked that the word “fully” be substituted for the word further.

Mr. Machado said that the DSC has been set up with the power for covered actions and it would be difficult to be considered if we say no covered actions. He cautioned that the Commission could cross the line for policy issues that the DSC would not accept.

Commissioner Piepho asked when talking land uses are we talking of specific areas, as she was concerned as to how big a reach is the report when growth demand may change.

Mr. Machado responded that the DSC looked at the whole delta when concerning covered actions. He further stated that the ESP is not like the delta plan in that the delta Plan covers 50+ years while the ESP takes a snapshot of the Delta.

Commissioner Ledesma stated that the plan should reference the cities and counties general plans.

Commissioner Ferguson asked if the point have the points in been told in Management Plan. Mr. Machado said yes.

Commissioner Piepho asked that the word “current” be removed, and that the plan contain reference to the cities general plans. She further asked that permit streamlining be included on #4, and Collinsville to the last bullet with Pittsburg and Antioch.

Commissioner Ledesma asked that the Port of West Sacramento be added to #5.

Commissioner McGowan stated that he disagreed with the reference used on pages 135-136 (6.2.1 Yolo Bypass Fisheries Enhancement) and asked that the language be stricken from the

ESP. He said that Yolo County takes exception with what the report represents as the language on those pages references to an incomplete process.

Dr. Michael responded that the ESP team was searching for current research on the Yolo Bypass.

Commissioner Piepho noted that the peer review process will make changes to the ESP and the peer review will act as an extra pair of eyes.

Petrea Marchand, Legislative Director, Yolo County stated that the author of the report from which the information was taken from was hired by Yolo county and the paper was not intended to provide inclusion into the ESP. She said the paper is an initial documents and it is hoped by December to have correct numbers for inclusion in the ESP.

Public Comments

Donis Whaley, Town of Hood stated that she is committed to the success of the Delta as the Delta is being compromised. She said the decertification of the Delta levees is a political decision and wants there to be a permit streamlining process as enterprises are being chased away.

Mark Wilson, Clarksburg stated that Section 3, Bullet 3 is a good one. He said he appreciated Commissioner McGowan's and Piepho's comments as operational impacts are problematic if conveyance systems will be built.

Mary McTaggart, Clarksburg

- A. Public Comments**
 - B. Adopt Recommendation from the ESP Committee to Forward the October 10, 2011 Draft ESP to the Delta Stewardship Council.**
 - C. Direct Staff to Prepare and Submit Final Recommendations to the Delta Stewardship Council to be Included in the Delta Plan.**
- 5. Consider the Draft Primary Zone Study Proposed Amendments to the Legal Delta Boundaries Pursuant to SBX 7-1.**
- A. Public Comments**
 - B. Direct Staff to Contact State Legislators to Introduce Legislation to Implement the Suggested Changes to the Primary Zone Completed in December 2010.**

This item was tabled until the December 8, 2011 meeting.

6. Receive Draft National Heritage Area Feasibility Study for the Sacramento-San Joaquin Delta and Receive Update on Proposed Boundaries for the National Heritage Area.

A. Public Comments

This item was tabled until the December 8, 2011 meeting.

7. Receive Report from the Executive Committee, Including Informational Updates on Delta Stewardship Council and Delta Conservancy Activities and Other Delta Initiatives.

There was no report.

8. Comments and Announcements from Members of the Commission.

There were no comments or announcements.

9. ADJOURN.

The meeting was adjourned at 10:30 p.m.