

Summary Minutes of the
Delta Protection Commission
March 28, 2013

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

ADMINISTRATIVE AGENDA

1. Call to Order/Flag Salute.

Vice Chair Ruhstaller called the meeting to order at 5:45 p.m.

2. Welcome Commission Members.

Chair Nottoli welcomed returning Commissioners and guests to the meeting. He also welcomed new Commissioners Diane Burgis and Kathy Miller. Ms. Burgis is a councilmember with the City of Oakley and succeeds Jim Frazier who was elected to the California State Assembly. Ms. Miller is a councilmember with the City of Stockton and succeeds Susan Eggman who was also elected to the California State Assembly.

3. Roll Call.

Present: Chair Nottoli; Commissioners Bugsch, Burgis, Ferrara, Frazier, Miller, Scriven, Shubert, and van Loben Sels.

Absent: Commissioners Cabaldon, Ferguson, McGowan, Piepho and Thomson.

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 the January 24, 2013 Meeting of the Commission.

Commissioner vanLoben Sels moved approval of the Consent Agenda; Commission Ferrara seconded. The minutes were approved unanimously by voice vote.

REGULAR AGENDA

6. Receive Update on the Department of Water Resources (DWR) and Department of Fish and Wildlife (DFW), Fish Restoration Program and Prospect Island Restoration Agreement.

Dan Riordan, DWR, discussed the Fish Restoration and Prospect Island Restoration Agreement. Mr. Riordan reported that the Fish Restoration program was a joint agreement between DWR and DFW that is required to fulfill habitat restoration obligations from U.S. Fish and Wildlife Service and the National Marine Fisheries Service biological opinions. He said the agreement between the two agencies establishes a framework for selecting properties to perform restoration work, funding, and management of the restoration projects, with a goal to restore 8,000 acres of tidal habitat in the Delta. Additionally, principles of the project are to work with nature, discourage colonization by non-native species, provide a diversity of habitat types, and design projects to be adaptively managed. To date DWR was issued an incidental take permit to restore 800 acres of habitat in the Suisun Marsh

area as part of the incidental take permit of Longfin Smelt. Mr. Riordan stated that DWR would like to include other agencies, stakeholders, and the public in the decision making process. Therefore, an environmental review process would be coming out and public scoping meetings would be convened in the near future.

Mr. Riordan also reported on Prospect Island Fish Restoration Program. He said that Prospect Island had a few levee breaches and DWR saw that as the opportunity to use part of the island for restoration. The island is currently feral, with submersed aquatic vegetation, trees, ducks and some bass. Mr. Riordan said that DWR convened a workshop evaluating 15 alternatives which were narrowed down to 8 by experts. DWR will convene the environmental process with immense public outreach, and a second phase modeling will be reviewed for dissolved organic carbon. Current issues with the project include access, owner easement, potential seepage, and potential effects to the Ryer Island levee. Mr. Riordan said it is hoped that construction can commence in 2016.

Commissioner vanLoben Sels suggested that negative effects of Ryer Island be placed at the top of the list. He also proposed that DWR meet with the various land owners and trustees of RD 501. Mr. Riordan responded that DWR has a meeting scheduled with the RD.

Mike Machado asked if the 8,000 acres for mitigation deemed to be sufficient for the problems caused by the export pumps. Mr. Riordan responded he could not answer.

Vice Chair Ruhstaller stated that locals are not against habitat restoration, but the restoration of an island like Prospect should be managed in such way that there are no intended consequences.

Commissioner Frazier asked if naturally occurring mercury has been factored in. Mr. Riordan responded he did not know if mercury would be modeled in the second phase.

7. Receive Presentation From William Croyle of the Department of Water Resources (DWR) Regarding Upcoming Delta Grant Opportunity.

Bill Croyle, DWR Flood Operations Branch Chief, reported that the Delta Emergency Communications grant was underway. This \$5 million dollar grant was awarded to the five Delta county local operational area managers, and special district Bethel Island, to support various forms of coordinated communications that are consistent with the State's inter-operable communication plan. The grant allows locals to meet FCC current and/or new radio communications and includes a tower being built on Twitchell Island.

Additionally, DWR sponsored a statewide Flood Emergency Preparedness/Response Grant worth \$5 million dollars and funded through Proposition 84 funds to support regional planning and multiagency coordination, alert warning systems, and residual risk. The application deadline is April 5, 2013. Mr. Croyle reported that DWR will also sponsor a Delta Region (Proposition 1E), \$5 million dollar grant, which is anticipated to be released during the second quarter of 2013 with a 60 day application period. The first cycle will require no local match, however, he said it is hoped that local match will be provided during the next grant cycle. Eligible applicants are California public agencies with primary responsibility for flood—including reclamation districts. Mr. Croyle said the initial study and feasibility report for facilities in the Delta should be released sometime in April.

Commissioner Burgis asked if identifying communities that are not as organized or up to date on which programs were available was a priority. Mr. Croyle responded that many emergency managers were active and aware of the programs; however, DWR would look to the local maintaining agencies to spread the word and participate.

Commissioner vanLoben Sels Suggested that DWR work with Ron Baldwin to identify communities with the highest risk and then put the money toward those communities. Mr. Croyle responded that the focus was on FEMA and DWR would work toward more outreach.

Commissioner Frazier asked if DWR was collaborating with the Water Emergency Transportation Authority. Mr. Croyle responded no—DWR was working with CALEMA.

Mike Machado commented that DWR was missing an opportunity by not using the Commission as a go-between with the locals. Mr. Croyle responded that DWR was not trying to tell the locals what to do as the Department wants to see coordination between the entities.

Commissioner Ferrara stated that it seemed DWR would more favorably view applicants with broad regional support, but it was up to the applicants to determine their own coordination. Mr. Machado responded that he agreed, however, there seemed to be a lack of coordination within the Delta region.

Chair Nottoli asked Mr. Croyle to return to the next Commission meeting to further discuss the grants.

Mark Wilson, Clarksburg, stated that he appreciated the Commission direction in trying to provide coordination within the Delta.

8. Receive Presentation From Kerry Motts and Sean Wright of Rivertown Regional Resources on Potential Delta National Heritage Area (NHA) Activities in Antioch.

Kerry Motts, City of Antioch, said that Antioch, its centrality, history, geographical location, and proximity to Northern California's largest population base forms the basis for a natural and mutually beneficial relationship with the NHA. Antioch's central location in East Contra Costa County and 180 degree view of the Delta could serve as a backdrop for educational efforts and public access, as well as a starting point for further Delta tourism from the Antioch Bridge, through Hwy. 160, and into Sacramento. Mr. Motts said that areas already identified in Antioch, along with the developing Black Diamond East Bay Regional Park and Second and E Street Waterfront Park would greatly enhance the goals of the NHA as well as enhance the revitalization of the Rivertown area. He noted that public involvement, awareness, and education were key to the Rivertown area, and will promote tourism, recreation, restoration and economic development for the entire NHA region. Mr. Motts asked that the Commission support the City of Antioch in a collaborative effort to further its vision to include Rivertown as a backdrop for the NHA.

9. Receive Presentation From Delta Protection Commission and Sacramento-San Joaquin Delta Conservancy Staff on the Delta Heritage Area Initiative.

Michael Machado reported that the Commission and the Conservancy staff will partner in support of the Conservancy's branding efforts and the Commission's Delta Heritage Area Initiative. The Commission will also sponsor the publication of the Delta Chambers and Visitors Bureau Guide and provide text in the guide to acknowledge both agencies efforts. Additionally, the Commission and the Conservancy are working together in support of tourism development, including historic preservation related efforts, and engaging in collaboration on the development and/or identification of possible NHA partner sites.

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

Commissioner Ferrara reported that the Natural Resources Agency would be sending a response to the letter the Commission sent to Secretaries Ken Salazar and John Laird regarding the Bay Delta Conservation Plan.

11. Comments and Announcements From Members of the Commission.

Commissioner Burgis announced that volunteers were needed for a Delta waterway cleanup taking place on April 13, 2013.

16. ADJOURN.

The meeting was adjourned at 7:55 p.m.