



**DRAFT SUMMARY MINUTES**

**Delta Protection Commission Meeting  
Thursday, May 19, 2016**

Peter's Steakhouse  
203 Second Street, Isleton, CA 95641

**ADMINISTRATIVE AGENDA**

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

Chair Piepho called the meeting to order at 5:33 p.m. and initiated the flag salute.

**2. Roll Call**

Present: Chair Piepho, Commissioners Ferguson, Ferrara, Johnson, Scriven, Lofthus, van Loben Sels, Villegas and Winn. Subsequent to the roll call, Commissioner Eddy arrived at 5:40 p.m., Commissioner White arrived at 5:45 p.m., Commissioner Bugsch arrived at 5:57 p.m., and Commissioner Nottoli arrived at 6:22 p.m. Absent (with no Alternate present): Vice-Chair Thomson and Commissioner Cabaldon.

A quorum was established with nine Commissioners present at 5:35 p.m.

**3. Welcome and Public Comment. Opportunity for the Public to Address the Commission Regarding Items Not on the Agenda**

Chair Piepho welcomed other members of the Commission and audience, and introduced Pittsburg Mayor Ben Johnson as a new Commission member representing the cities in Contra Costa and Solano counties. There was no public comment.

**CONSENT AGENDA**

**4. Approval of March 17, 2016 Meeting Minutes**

**MOTION:** It was moved by Commissioner Ferrara and seconded by Commissioner Lofthus to approve the March 17, 2016 meeting minutes. In a voice vote, the motion carried unanimously with nine Commissioners voting.

**REGULAR AGENDA**

**5. Receive Executive Director report**

Executive Director Vink provided highlights on the following items: the Delta Community Action Plan efforts, the Delta Plan Interagency Implementation Committee Working Group, the Delta Flood Risk Management Assessment District Feasibility Study, purchase of Delta Wetlands properties by the Metropolitan Water District, and Commission staffing and budget updates.

**6. Receive Delta Protection Advisory Committee (DPAC) report and consider revisions to DPAC Charter**

Executive Director Vink stated that DPAC is no longer requesting an increase in the size of their Committee, but has requested modest changes to the DPAC Charter (primarily expanding the scope of advice to the Commission and adding a Vice-Chair position). DPAC also has a vacancy for a Delta recreation representative and a new member will be recruited.

It was moved by Commissioner Johnson and Seconded by Commissioner Villegas to amend the DPAC Charter as recommended; in a voice vote, the motion carried unanimously with 10 Commissioners voting (nine Commissioners present at the quorum call and Commissioner Eddy).

**7. Receive presentation from Delta Leadership Program**

Executive Director Vink introduced this item, explaining the inaugural effort conducted in partnership with the Delta Regional Foundation. The program consisted of five all-day seminars in each of the Delta counties, with regional topics presented in the morning and a focus on personal skills development in the afternoon. There were 22 participants (including Commissioners Winn and van Loben Sels) and Commission staff Erik Vink and Nicole Bert worked with Commission consultant Lisa Beutler in coordinating the program.

The Delta Leadership Program class members presented reports on class projects they developed as part of the program. Topics included Delta tourism, Delta social media, Delta signage, and low income housing. Chair Piepho then presented legislative commendations from Congressman Garamendi, Senator Galgiani and Assemblyman Frazier to each graduate.

**8. Receive report on invasive aquatic weed control efforts**

Chair Piepho introduced Lynn Sadler, Deputy Director of California Department of Parks and Recreation-Division of Boating and Waterways, who gave a presentation on the Division's invasive aquatic weed control efforts, providing background on the problem and an overview of new approaches they are taking.

Public comment was received from Anna Swensen and Melinda Terry.

**9. Receive presentation on Delta Conservancy Proposition 1 grant awards**

Executive Director Vink described the Commission staff efforts related to the required consultation with the Commission over the Delta Conservancy's Proposition 1 grant awards, including providing input to the Conservancy on pre-proposals and serving as a reviewer for full proposals. The Conservancy received 13 full proposals and 9 are being recommended for funding by Conservancy staff at the May 25 board meeting.

Chair Piepho asked about the scoring of the proposals, especially the recommendation to deny funding for the water hyacinth biomass proposal. Mr. Vink said the projects needed at least 85 points or higher for approval. Chair Piepho suggested that the project proponent and the Conservancy revisit this proposal.

Public comment was received from Bill Wells.

**10. Consider adoption of position on AB 1713 (Eggman: public vote on Delta tunnels) and potential direction to staff**

Executive Director Vink introduced this item and provided background on proposed legislation AB 1713 authored by Assembly Member Susan Eggman. This bill would prohibit the construction of the proposed Delta tunnels unless approved by California voters. Delta interests are supporting the bill and water export interests are in opposition to the bill.

Mr. Vink reported that the Commission is able to take positions on legislation through a vote of the Commission, and can also request a Governor's administration position on a bill by sending recommendations through the Natural Resources Agency. In the case of a recent Commission support letter on Senator Wolk's SB 554 (Delta levee subvention program), the Commission expressed clear support for the purpose of the bill in both the Vision 2030 strategic plan and the levee support statement adopted by the Commission; as a result, Mr. Vink felt the Commission had provided clear direction to support the measure.

Commissioner Ferrara stated that the Brown Administration filed its opposition to AB 1713 earlier in the day, citing concerns over putting infrastructure projects such as CA WaterFix to a public vote and the costs that would be incurred in delaying the tunnel project.

In addition, Commission members Scriven, Lofthus, Johnson, Winn, Villegas and Nottoli provided comments, mostly in support of AB 1713.

It was moved by Commissioner Nottoli and seconded by Commissioner Winn to support AB 1713 as currently written. In a roll call vote, the motion carried with 8 ayes votes (Piepho, Ferguson, Johnson, Scriven, van Loben Sels, Villegas, Winn and Nottoli), 4 nay votes (Ferrara, White, Eddy and Lofthus) and 1 abstention (Bugsch).

**11. Consider approval of scope and contract amount amendments to (1) Delta Flood Risk Management Assessment District Feasibility Study Interagency Agreement (DWR) and (2) Delta Flood Risk Management Assessment District Feasibility Study Contract (M.Cubed)**

Executive Director Vink provided background on this project. Current work is proceeding rapidly and additional information on the project will be presented at the July meeting. The Commission is being requested to authorize its Executive Director to: (1) revise the current interagency agreement with DWR to add \$160, 688; and (2) amend the contract with M.Cubed to add \$140,688 and extend the contract term through December 2016.

Commissioner Ferguson asked how much had been paid to M.Cubed so far. Mr. Vink responded that approximately 60% of work has been completed.

Mr. Vink reported that the Commission subcommittee (Vice-Chair Thomson and Commissioners White, van Loben Sels and Ferrara) met and recommended approval of this request; Commissioner White reiterated this support.

Chair Piepho stated that there should be close coordination between this effort and the Delta Stewardship Council's Delta Levee Investment Strategy (DLIS).

It was moved by Commissioner Johnson and seconded by Commissioner White to authorize the Executive Director to: (1) revise the current interagency agreement with DWR to add \$160, 688; and (2) amend the contract with M.Cubed to add \$140,688 and extend the contract term through December 2016. In a voice vote, the motion carried unanimously with 13 Commission members voting.

**12. Receive report and consider approval of Commission land use comment process pursuant to Commission authority under PRC §§ 29770(d), 29703.5(a), and 29773(a) and consistent with Commission jurisdiction under PRC § 29770 and PRC §§ 5852-5855**

Executive Director Vink introduced Program Manager Jennifer Ruffolo and provided background on the current land use review process. Ms. Ruffolo gave a presentation on the proposed approach to land use comment letters. These proposed comments would apply to development projects in the primary zone; land use projects outside the Commission's jurisdiction that might affect Delta resources or "Delta as Place"; and comments on projects that could advance the Great California Delta Trail.

Chair Piepho asked for Commission or public comments and there were none.

Mr. Vink introduced proposed Resolution 16-01. It includes the statutory references related to Commission review and comment on projects and approves a delegation of authority to the Executive Director for Commission comment letters.

Commissioner Nottoli commented on the distinction between the words “preserving” and “protecting” in Public Resources Code section 29703.5(a), in reference to the comments the Commission provides to the Delta Stewardship Council on “Delta as Place”.

Chair Piepho asked for Commission or Public comment, there was none.

It was moved by Commissioner Nottoli and seconded by Commissioner Johnson to approve Resolution 16-01 as presented. In a voice vote, the motion carried unanimously with 13 Commission members voting.

**13. Commissioner Comments/Announcements**

Chair Piepho asked for Comments and there were none.

**14. Adjourn**

Chair Piepho adjourned the meeting at 7:37 p.m.