



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

-- MEETING NOTICE --

Meeting of the SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY

Wednesday, October 6, 2010

9 a.m. – 12 p.m.

3500 Industrial Boulevard, Room 119

West Sacramento, CA 95691

*Attachments may be downloaded from the Conservancy's website at
<http://www.deltaconservancy.ca.gov>*

ADMINISTRATIVE AGENDA (1-11)

1. Call to Order
2. Flag Salute
3. Welcome and Introductions
4. General Public Comments
5. Oath of Office (if necessary)
6. Roll Call
7. **RECEIVE** Interim Executive Officer's Report – (**Attachment 1**)
 - Follow-up on Action Items from August 4 meeting
 - Meeting Date Change – Review Meeting Chart (**Attachment 1a**)
 - Conservancy Staff Hiring Update
 - Location Search Update
 - Budget Updates
 - Delta Planning Efforts Update (**Attachment 1b**)
 - Response to August 19th letter to DSC
 - CEQA Responsibilities
 - Delta Stewardship Council – Early Actions Involvement
 - Revised High Level Year One (**Attachment 1c**)
 - Conflict of Interest Code Update

CONSENT CALENDAR

(Items for consent calendar are expected to be routine and non-controversial. The Board will be asked to approve the items at one time without discussion. If any Board member, staff, or interested person requests that an item be removed from the consent calendar, it will be taken up in the regular agenda order.)

8. Action Items and Meeting Summary for Board Meeting on August 4, 2010 – (Attachment 2)
9. Action Items and Meeting Summary for Board Meeting on August 19, 2010 – (Attachment 3)
10. Delta Conservancy comment letter sent to Delta Stewardship Council, August 19, 2010. (Attachment 4)
11. Action Items and Meeting Summary corrections for July 7th – (Attachment 5)

REGULAR AGENDA (Items 12-16)

12. **RECEIVE** update on Strategic Planning Workshop. **DISCUSS** forming Strategic Planning Workshop Committee (Action).
13. **RECEIVE** update on Executive Officer Recruitment Efforts. **REVIEW** committee membership (Action)
14. **RECEIVE** presentation from Delta Protection Council on National Heritage
15. **PUBLIC COMMENTS**
16. **ADJOURN**

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- Attachments and additional information can be found on the Delta Conservancy's website at : <http://www.deltaconservancy.ca.gov> .
 - If you have any questions or need reasonable accommodation due to a disability, please contact Susan Roberts, Delta Conservancy (916) 375-2088.
 - The agenda items listed above may be considered in a different order at the Delta Conservancy Board meeting pursuant to the determination of the Board Chair. At the discretion of the Delta Conservancy Board, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action.

Attachment 1a



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

3500 Industrial Blvd.
West Sacramento, CA 95691
<http://www.deltaconservancy.ca.gov>

Consideration of Delta Conservancy Board Meeting Schedule

Requested Action: Discuss alternatives regarding the 2010 Board meeting schedule based on water district request. Provide direction to staff regarding any changes to the 2010-11 meeting schedule.

Background

North Delta Water Agency wrote a letter requesting that the Conservancy Board change its meeting time as it conflicts with their regularly scheduled meeting. The Board directed staff to update the List of Meeting Dates completed in June, with the four Delta water agencies monthly meetings and make a recommendation.

The four water districts have day and evening schedules as follows: Zone 7 Water Agency meets the third Wednesday, 7 p.m., the North Delta Water Agency meets the first Wednesday, 10 a.m., the Central Delta Water Agency meets the second Tuesday at 9:30 a.m. and the South Delta Water Agency meets the first Wednesday at 1:30 p.m. Updated calendars attached.

Based on regularly scheduled meetings, the third Wednesday of the month and the first Friday are available for the Board's meetings. Staff suggests we maintain the current Wednesday morning meeting schedule through January 2011 until the new Executive Officer is on board.

List of Attachments

Attachment 1 — List of Meeting Dates of Selected Boards and Commissions

Contact

Susan Roberts, Board Liaison
Sacramento-San Joaquin Delta Conservancy
Phone: (916) 375-2088

Abbreviations used in Attachment 1

DCP = Bay Delta Conservation Plan Steering Committee

BOS = Boards of Supervisors

CCC = California Coastal Conservancy

CDWA = Central Delta Water Agency

CVFPB = Central Valley Flood Protection Board

DPC = Delta Protection Commission

DSC = Delta Stewardship Council

NDWA = North Delta Water Agency

SDWA = South Delta Water Agency

SFBCDC = Bay Conservation and Development Commission

Zone 7 = Zone 7 Water District

Attachment 1 —List of Meeting Dates of Selected Boards and Commissions

October 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5 BOS meetings: --Contra Costa --Sacramento --San Joaquin --Solano	6 NDWA SDWA	7 BDCP Steering Comm. SFBCDC	8	9
10	11	12 BOS meetings: --Contra Costa --Sacramento --San Joaquin --Solano --Yolo CDWA (a.m.)	13 BOS meetings: --Sacramento (a.m.)	14	15	16
17	18	19 BOS meetings: --Contra Costa --Sacramento --San Joaquin	20 Zone 7 (p.m)	21 BDCP Steering Comm. CCC DPC (alternate) SFBCDC	22	23
24	25	26 BOS meetings: --Contra Costa --Sacramento --San Joaquin --Solano --Yolo	27 BOS meetings: --Sacramento (p.m.)	28 DSC	29 DSC	30
31						

November 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 BOS meetings: --Contra Costa --Sacramento --San Joaquin --Solano	3 NDWA SDWA	4 BDCP Steering Comm. SFBCDC	5	6
7	8	9 CDWA (a.m.) BOS meetings: --Contra Costa --Sacramento --San Joaquin --Solano --Yolo	10 BOS meetings: --Sacramento (a.m.)	11 Veteran's Day	12	13
14	15	16 BOS meetings: --Contra Costa --Sacramento --San Joaquin	17 Zone 7 (p.m.)	18 BDCP Steering Comm. DPC (regular) SFBCDC	19	20
21	22	23 BOS meetings: --Contra Costa --San Joaquin --Solano	24	25 Thanksgiving Holiday	26 State Holiday— Day After Thanksgiving	27
28	29	30 BOS meetings: --Contra Costa --Sacramento --San Joaquin				

December 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 NDWA SDWA	2 BDCP Steering Comm. CCC SFBCDC	3	4
5	6	7 BOS meetings: --Contra Costa --Sacramento --San Joaquin --Solano --Yolo CDWA (a.m.)	8 BOS meetings: --Sacramento (a.m.)	9	10	11
12	13	14 BOS meetings: --Contra Costa --Sacramento --San Joaquin --Solano --Yolo	15 BOS meetings: --Sacramento (p.m.) Zone 7 (p.m.)	16 BDCP Steering Comm. DPC (alternate) SFDCDC	17	18
19	20	21	22	23	24	25
26	27	28	29	30 BDCP Steering Comm.	31	

Attachment 1b



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

CONSERVANCY INTERACTION WITH OTHER
DELTA PLANNING EFFORTS

	ACTIVITY	MEETING	PRES.	SUMMARY	DATE	PERSON REPORTING
1.	Delta Science Program Presentation Floating Islands: A New Technology for Enhancing the Ecology of the Sacramento-San Joaquin Delta		X	Recycled material used to bio-mimic natural flotons. (floating islands) that can provide avian nesting areas and provides riparian shade and food for salmonids	6/16/10	Nancy Ullrey
2.	DPC-sponsored public meeting regarding a feasibility study for a national Heritage Area in the Delta	X		Discussed attributes of NHAs, process of feasibility study, and offered opportunities for local residents to ask questions and provide feedback.	6/21/10	Nancy Ullrey
3.	Mosquito/Vector Control Districts	X		Information sharing, summary how Conservancy and districts could work together in future.	7/1/10	Cindy Messer Nancy Ullrey
4.	Delta Plan Interagency Coordination Team	X		Coordinate information on plan development and major projects and timelines between State agencies responsible for efforts in the Delta and the DSC's Delta Plan. This group will meet monthly.	7/16/10	Cindy Messer
5.	Presentation to Delta Stewardship Council on Delta Conservancy		X	Supervisor Jim Provenza provided update on the Delta Conservancy's activities to date including highlighting the Conservancy's co-equal responsibilities and how these will shape future DC decisions and actions.	7/22/10	Sup. Jim Provenza
6.	Delta Stewardship Council and five Delta counties to discuss comments on the Interim Plan	X		Attended meeting between DSC staff and representatives from five Delta counties to discuss comments/concerns from local governments re Interim Plan	8/5/10	Cindy Messer
7.	Presentation to the American Waterworks Association on the Delta Conservancy		X	Chair Mary Piepho provided an overview of the DC including its co-equal responsibilities and an update of DC activities to date.	8/8/10	Chair Mary Piepho

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8.	Delta Plan Interagency Coordination Team	X		Review info on major projects and timelines provided by State agencies responsible for efforts in the Delta for coordination with the DSC's Delta Plan.	8/18/10	Nancy Ullrey
9.	Sierra-Nevada Conservancy	X		Met with SNC to obtain information on their programs, grant program, strategic plan, funding, staffing	8/11/10	Cindy Messer Sue Garrett-Dukes
10.	State Coastal Conservancy	X		Met with SCC to obtain information on their programs, grant program, strategic plan, funding, staffing	8/18/10	Cindy Messer Sue Garrett-Dukes Susan Roberts
11.	Tahoe Conservancy	X		Met with TC to obtain information on their programs, grant program, strategic plan, funding, staffing	8/25/10	Cindy Messer Sue Garrett-Dukes Susan Roberts
12.	DWR- FloodSAFE Environmental Stewardship Program	X		Met with Gail Newton to provide information on DC and to discuss role in ecosystem restoration actions.	9/2/10	Cindy Messer
13.	Delta Plan Interagency Coordination Team	X		Reviewed latest timeline of milestones for Delta Plan and other major State agency programs. Delta Plan framework being developed. White papers on existing efforts for major areas of concern are being drafted for October/November review by State agencies and DSC.	9/21/10	Cindy Messer
14.	Delta Protection Commission – Focus groups for Economic Sustainability Plan development	X		Met with consultants working on DPC-ESP to discuss economic impacts of ecosystem restoration actions in the Delta.	9/21/10	Cindy Messer

June 9, 2010	July 7, 2010	August 4, 2010	September 1, 2010
<p>Initial Business</p> <ul style="list-style-type: none"> Oath of Office Election of Officers Adopt Board meeting procedures Appoint Interim Executive Officer Introduce Conservancy Staff Conflict of Interest Code/Bagley-Keene Personnel Packets 	<p>Updates:</p> <ol style="list-style-type: none"> Oath of Office (if necessary) Executive Officer Report <ul style="list-style-type: none"> Executive Officer Recruitment Conservancy Staff Hiring (Board Liaison) MOU & Headquarter Search Update Coordinating with Other Delta Planning Efforts Budget CEQA Role Action Item from 6/9 meeting Legislation Update 	<p>Updates:</p> <ul style="list-style-type: none"> Executive Officer Recruitment Conservancy Staffing Conservancy Headquarters Search Budget Coordinating with Other Delta Planning Efforts CEQA Role Legislative Update Revised High Level Planning Calendar 	<p>DELTA TOUR</p>
<p>Briefings</p> <ol style="list-style-type: none"> Implementing Legislation Governor's Budget Headquarters Search Legislation Related planning efforts 	<p>Briefings</p> <ol style="list-style-type: none"> Delta Plan (Delta Council) <ul style="list-style-type: none"> Overview, Current Status Conservancy's Role (Joe Grindstaff) BDCP <ul style="list-style-type: none"> Overview, Current Status, Conservancy's Role (Karla Nemeth) Central Valley Joint Venture Implementation Plan (Robert Schaffer) 	<p>Briefings</p> <ol style="list-style-type: none"> Safe, Clean, Reliable Drinking Water Supply Act of 2010 (Prop. 18) and Implications of Postponement Central Valley Joint Venture Management Plan Delta Counties Habitat Conservation Plans 	<p>Briefings</p> <ol style="list-style-type: none"> Flood Planning Levees Emergency Preparedness & Response
<p>Action Items</p> <ol style="list-style-type: none"> Delegation of Authority/Interim Executive Officer (EO) Executive Officer Recruitment Contract Executive Officer Selection Committee MOU Regarding West Sacramento Office Board meeting schedule 	<p>Action Items</p> <ol style="list-style-type: none"> Ratify Org Chart Conflict of Interest Code, Approve, TAKE Action re Code, Direct staff to initiate rulemaking process with OAL. Review Revised High Level 1 Year Agenda Consent Calendar 	<p>Action Items</p> <ol style="list-style-type: none"> Statement of Incompatible Activities 	
<p>Discussion/Direction</p> <ol style="list-style-type: none"> Consistency between Board's Strategic Plan and Other Delta Planning Efforts Year One Agenda 	<p>Discussion/Direction</p>	<p>Key Items and Dates</p> <ol style="list-style-type: none"> Board members have until December 9 to complete online ethics training. 	<p>Key Items and Dates</p> <ol style="list-style-type: none"> Conflict of Interest Code 45-day review period ends September 6.
October 6, 2010	November 3, 2010	December 1, 2010	"Parking Lot" New
<p>Updates:</p> <ul style="list-style-type: none"> EO report <ol style="list-style-type: none"> Staffing Office location Budget Delta Planning efforts CEQA responsibilities DSC- Sept Early Actions mtg Strategic Plan workshop Legislation Executive Officer Recruitment 	<p>Updates:</p> <ul style="list-style-type: none"> EO report <ol style="list-style-type: none"> Staffing Office location Budget Delta Planning efforts CEQA responsibilities DSC- Oct Early Actions mtg Legislation Executive Officer Recruitment Strategic Planning workshop - #1 	<p>Updates:</p> <ul style="list-style-type: none"> EO report <ol style="list-style-type: none"> Staffing Office location Budget Delta Planning efforts CEQA responsibilities DSC- Nov Early Actions mtg Legislation Executive Officer Recruitment 	<ol style="list-style-type: none"> Performance Measures (conceptual) Strategic Plan <ul style="list-style-type: none"> Goals Approach (mechanics) Department of Fish & Game - PSP
<p>Briefings</p> <ol style="list-style-type: none"> DPC Economic Sustainability Plan 	<p>Briefings</p> <ol style="list-style-type: none"> Strategic Plan Presentation - TBD 	<p>Briefings</p> <ol style="list-style-type: none"> TBD 	
<p>Action Items</p> <ol style="list-style-type: none"> Adopt Conflict of Interest Code 	<p>Action Items</p>	<p>Action Items</p> <ol style="list-style-type: none"> Conservancy's CEQA Role 	
<p>Key Items and Dates</p> <ol style="list-style-type: none"> Voting Board members must complete online ethics training by December 9, 2010. 	<p>Key Items and Dates</p> <ol style="list-style-type: none"> Voting Board members must complete online ethics training by December 9, 2010. 	<p>Key Items and Dates</p> <ol style="list-style-type: none"> Voting Board members must complete online ethics training by December 9, 2010. 	



Action Items and Meeting Summary

Background

Action Items and Meeting Summary from Conservancy Board meeting on August 4, 2010

List of Attachments

Attachment 2 – Action Items and Meeting Summary

Contact

Nancy Ullrey, Program Lead
Sacramento-San Joaquin Delta Conservancy
Phone: (916) 375-2087

Agenda Item: 8, Attachment 2



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

**Action Items and Meeting Summary
for the August 4, 2010, Board Meeting
at
3500 Industrial Blvd., West Sacramento**

ACTION ITEMS

1. Confirm that having the Board's November meeting in the Suisun Marsh meets statutory requirement to having meetings in the legal Delta or the City of Rio Vista.
2. Revise the Meeting Dates List to include Delta water agencies for the Board to reconsider its meeting day and time for 2011.
3. Revise "Staff Interaction with Other Delta Planning Efforts" to include Board member presentations to other groups and agencies.
4. Communicate with and thank the North Delta Water Agency for its letter advising the Conservancy of the conflict, and that the Board will review its schedule.
5. Work with the California Natural Resources Agency to prepare a list of alternative funding and existing bond eligibility
6. Proceed with strategic plan discussions as allowed under the public meeting laws.
7. Report back to the Board regarding bond financing and education information.
8. Develop a Conservancy vision and mission workshop by December 2010.
9. Robert Shaffer, from the Central Valley Joint Venture, agreed to provide a copy of his organization's letter to the Delta Stewardship Council about the interim Delta Plan.
10. Post a copy of the vector control agencies' letter to the Delta Protection Commission on the Delta Conservancy website.
11. Invite the South Sacramento Habitat Conservation Plan representatives to give a presentation of their plan at a future Board meeting.

MEETING SUMMARY

1. Call to Order

The meeting was called to order at 9:01 a.m., June 9, 2010, by Mary Piepho, chair of the Sacramento-San Joaquin Delta Conservancy.

2. Flag Salute

Chair Piepho led the flag salute.

3. Welcome and Introduction

Chair Piepho asked Board members and audience members to introduce themselves.

4. General Public Comments

There were no general public comments.

5. Oath of Office

No oath of office was necessary.

6. Roll Call

Roll call was taken and a quorum was established. The following voting members were present for the meeting: Chuck Bonham, Mike Eaton, Karen Finn, Mary Piepho, Jim Provenza, Lester Snow, Dan Taylor, Ken Vogel, and Jimmie Yee. The following liaison advisor members were present: Pablo Arroyave, Steve Chappell, Robin Kulakow, Mary Grim, James Herota, Cindy Tejada, and Mark Wilson.

7. Executive Officer's Report

Cindy Messer, interim executive officer, began her report by introducing Sue Garrett-Dukes to the Board. Ms. Garrett-Dukes is a former Deputy Director of the CALFED Bay-Delta Program and has expertise in strategic planning. She is serving as an advisor to the Conservancy and is assisting the Board's Executive Officer Advisory Committee.

- **Executive Officer Search.** The Executive Officer Advisory Committee met Monday, August 4, 2010, at which Jim Provenza was selected as lead and spokesperson for the committee. Key roles were defined; Ms. Garrett-Dukes would serve as liaison with the CPS consultant and interaction. The committee is exploring a shortened timeline for hiring an executive officer with the goal of selecting a candidate by October 2010. The next meeting of the advisory committee is Thursday, August 19, 2010.

Members of the Board discussed the practicality of a shortened hiring process. The Board agreed that as many avenues of recruitment needed to be used, including personal networking and media relations (press releases).

- **Conservancy Staff Hiring.** Interviews were conducted for the Associate Governmental Program Analyst (Board Liaison) position. Ten qualified candidates were interviewed. A tentative offer was made and accepted. Ms. Messer discussed the possibility of filling the second AGPA position

because of the CEQA and land use planning background of one candidate would benefit the Conservancy. The Board recommended that the Executive Officer Advisory Committee review the candidate's resume at its next meeting (later determined to be August 19, 2010). The motion passed 9-0. Ms. Messer reminded the Board that the vacant positions needed to be filled by December 15, 2010.

The Board discussed the impracticality of the deadlines set forth in the enacting legislation. Secretary Snow offered to officially communicate to the Legislature the unrealistic nature of those deadlines. No decision was made regarding that offer.

- **Headquarters Search.** The Department of General Services developed a list of potential headquarter sites for the Conservancy to consider.
- **Budget.** Ms. Messer provided the Board with a revised budget summary. The revisions included indicating the actual salary expenditures rather than the higher budgeted salary range, and more detailed information regarding operating costs. Because the budget has not been passed, there are no expenditures to report. This summary also includes the five percent salary savings mentioned by Member Finn. There was discussion regarding if the state had a policy of including state employee retirement and health care liability in the budget; there is no such explicit policy at this time.
- **Conservancy Interactions with Other Agencies.** Ms. Messer attended the Delta Plan Interagency Coordination Team meeting on July 16, 2010. These meetings will happen periodically and are designed to facilitate communication between the Delta Stewardship Council and other state agencies. The DSC plans to have a federal team as well, and does not plan on merging the two any time soon.
- **CEQA Review.** The staff report regarding the Conservancy's CEQA review responsibilities is postponed until the October meeting.
- **Meeting Planning.** The Board was given a revised meeting planning calendar. Staff will confirm that having the Board's November meeting in the Suisun Marsh meets statutory requirement to having meetings in the legal Delta or the City of Rio Vista.

8. Adopt Statement of Incompatible Activities

Matt Campbell, the Conservancy's attorney, explained that the Statement of Incompatible Activities is based upon what is used by several other state agencies, and serves as notice to employees of the Conservancy's standard of conduct. The Board adopted the Statement of Incompatible Activities by unanimous vote.

9. Discuss Letter from North Delta Water Agency

The Board received a letter from the North Delta Water Agency noting that the Board's meeting conflicts with the agency's board meeting. The Board requested that staff complete a chart showing the various water agency meetings by the October meeting, and they will consider looking at other times.

The Board directed Ms. Messer to communicate with and thank the North Delta Water Agency for its letter advising the Conservancy of the conflict, and that the Board will review its schedules. The Board agreed, by unanimous vote, to hold to its current schedule through 2010.

10. Safe, Clean, Reliable Drinking Water Supply Act of 2010

The Board discussed how much money it would take to develop a strategic plan. In response to a question, Secretary Snow said there would be state funds available to the Conservancy to assist in writing the strategic plan if there is no bond money; he added that a good strategic plan will draw funding to it.

Ms. Finn reiterated to the Conservancy staff and Board that the Department of Finance is willing help them learn about and understand "Bonds 101."

The Board directed staff to work the California Natural Resources Agency to develop a list of alternative funding for the next two years from other sources than the proposed water bond.

By a unanimous vote, the Board also directed staff: (1) to prepare information about existing bond eligibility; (2) to proceed with strategic plan discussions; (3) to find out more about bond financing and education information and report back to the Board; and (4) to develop a Conservancy vision and mission workshop by December 2010.

11. Consent Calendar: Action Items and Meeting Summary

The Action Items and Meeting Summary was taken off of the consent calendar because Mr. Campbell needed to discuss the conflict-of-interest code with the Board. At its July meeting, the Board had directed staff to reword part of the conflict-of-interest code to specifically refer to voting members. Mr. Campbell said that the Fair Political Practices Commission rejected that because technically, the liaison advisors are not Board members. Mr. Campbell advised that the Board adopt the conflict-of-interest code as originally presented. The Board voted unanimously to adopt the conflict-of-interest code as originally submitted at the July meeting.

Members also took the opportunity to offer and voted unanimously to have the minutes corrected in two instances. First, on page 4, Senator Feinstein's name was misspelled and needed to be corrected. Second, on page 5, staff is directed to revise the conflict of interest code summary to include "The Executive Officer is required to inform the Board of a consultant's level of disclosure."

12. Central Valley Joint Venture Presentation

Robert Shaffer, executive officer of the Central Valley Joint Venture, gave a presentation about the organization and its management plan. He said the CVJV looked forward to working with the Conservancy as it develops its strategic plan. He also mentioned he was submitting comments to the Delta Stewardship Council regarding their interim Delta Plan, which was too aquatic species specific and did not address avian or terrestrial species much; he agreed to supply a copy to the Board of his letter to the DSC.

The Board was in general agreement that the success of the Central Valley Joint Venture was an inspiration and model for how the Conservancy can address its strategic planning efforts. The Board

agreed that as the Conservancy develops its strategic plan to be consistent and complementary with existing plans, it will be important to build on the successful plans like the CVJV.

Chair Piepho read from the Delta counties' vector control districts presentation to the Delta Protection Commission regarding the nexus between public health and ecosystem restoration efforts. A copy of the letter will be posted on the Conservancy's website.

Robin Kulakow, liaison advisor from the Yolo Basin Foundation, invited the Board to a tour of the Yolo Bypass area.

13. Panel Discussion: Delta Counties' Habitat Conservation Plans

Representatives from four of the five Delta counties presented information about their respective Habitat Conservation Plans. John Kopchik, from Contra Costa County, began the presentation by providing a general description of Habitat Conservation Plans (federal) and Natural Community Conservation Plans (state), which deal with threatened and endangered species.

HCPs are part of the permitting process for development. There are several benefits to regional HCPs, such as streamlined permitting processes and enhanced local control of a project. Regional HCPs also allow for a coordinated approach in shared concern about species; the Swainson's Hawk, for example, is one of many species addressed in all of the plans.

Other presenters included Chris Lee, from Solano County; Steve Mayo, from San Joaquin County, and Maria Wong, from Yolo County. Representatives from Sacramento County were invited to attend, but could not make this meeting. The Board extend its invitation for Sacramento County to give their presentation at another time.

After the HCP presentation, Member Provenza discussed his presentation to the Delta Stewardship Council on July 29, 2010. He quickly reviewed the slides he provided to the Council, which listed the items in the Public Resources Code Section 32322.

14. September 1 Meeting Confirmation and Future Meetings

The September 1 meeting is a Delta Tour. Staff will email the Board members and advisory liaisons for a complete count of who will attend. Sergio Guillen, from DWR, will lead the tour, which will run approximately from 9 a.m. to 3:30 p.m. The tour will leave from the West Sacramento office at 3500 Industrial Blvd.

Chair Piepho listed possible agenda items for future meetings:

- Review of Delta Stewardship Council's draft Interim Plan. The Board agreed to meet on Thursday, August 19, 2010, to develop their comments regarding the second draft of the Interim Plan.
- National Heritage Area designation for the Delta. The Board would like to hear a presentation about the Delta Protection Commission's and Senator Diane Feinstein efforts relating to designating the Delta as a National Heritage Area. Staff also was directed to invite Senator Feinstein's staff to participate in the Delta Tour.

- Let the Sacramento County HCP representatives know that they are welcome to give a presentation about their South Sacramento Habitat Conservation Plan at a future meeting.

15. Public Comment

There were no public comments.

16. Adjournment

The meeting was adjourned at 12:20 p.m..

Respectfully submitted on August 12, 2010

Nancy Ullrey, Program Lead
Sacramento-San Joaquin Delta Conservancy



Consideration of Suggestions for Topics of Discussion On and Possible Comments by the Delta Conservancy Regarding the Delta Stewardship Council's Second Draft Interim Plan Report (July 14, 2010)

Requested Action: Develop comments from the Conservancy Board to the Delta Stewardship Council regarding the Council's second draft Interim Plan.

Summary

The Delta Stewardship Council's Interim Plan provides the framework for early actions, projects and program including those specifically identified in SBX7-1 and those that will be proposed by interested stakeholders for Council review and recommendation. This framework includes an in depth discussion of processes the Council will use for: 1) early consultation 2) consistency determination, and; 3) the appeals process regarding Council decisions on consistency. The Interim Plan does not provide regulatory authority to the Council for actions not specifically described in the statute. Regulatory authority will come from the final Delta Plan.

Comments on this second draft of the Interim Plan were due August 3, 2010, but the Council will continue to accept comments on this version until their next meeting on August 26, 2010. Late comments may not be included in the second or final draft of the Interim Plan due to timing issues. Given this limitation, the Delta Conservancy may wish to focus on providing comments that more general and focused on longer-term issues that comments could be included in the forthcoming Delta Plan. Potential ways for the Conservancy to be proactive in the Interim Plan process are described below.

The page and line numbers refer to the second draft Interim Plan, dated July 14, 2010.

General Comments

1. Overall, there is little mention in the second draft Interim Plan of the Delta Conservancy and its role as an implementing agency for many of the policies, programs, and actions that will be included in the Delta Plan and the Delta Economic Sustainability Plan. Although the Delta Conservancy is new and still in its formative stages it seems appropriate to identify this agency as a key partner working with the Council, Delta Protection Commission, Bay-Delta Conservation Plan and other large-scale Delta planning efforts in achieving the co-equal goals. The Conservancy needs to consider asking that this distinction be included in the Delta Plan and as part of our comments to the Council. It would serve the Conservancy to provide suggested language it would like to be included in the Delta Plan.
2. The Delta Conservancy is mentioned specifically on:
 - Page 38, Lines 7-9 under discussion of Finance Plan. The following discussion acknowledges that there is no steady financing for the Delta Conservancy and provides a table listing actual and projected expenditures for ecosystem restoration actions in the Delta from 2000-2011.

- Appendix IV: Basic Legal Authorities, Page 3, Lines 21-22. In describing the Council's statutory authority to help restore the Delta's ecosystem, they refer to the Conservancy's statutory authority.
3. Comments made about the second draft Interim Plan generally were sorted by the Council into two categories: 1) comments that apply to the Interim Plan and Early Actions and 2) comments that address broader and longer-term issues that more are applicable to the Delta Plan. Using these criteria, the Conservancy needs to consider if it wants to focus on broader and longer-term issues that would be applicable to both its Strategic Plan and in the near term to the Delta Plan.
 4. The Council's role in influencing approval of new projects using Proposition 1E funds under the Interim Plan (no regulatory authority under this plan) has been a major focus of comments from several agencies. The Conservancy needs to consider if it also wants to make this point or if it wants to review the final draft to determine if the previous comments were adequately addressed.
 5. Not all areas of focus described in statute—such as agriculture, recreation, tourism and cultural values—are described equally in the draft Interim Plan. Comments to this effect have been submitted by other agencies, the Conservancy needs to consider if it wants to submit supportive comments on these points.

Specific Areas of Concern

1. Appendix I: Council Policies and Procedures, Subheading 3: Delta Stewardship Council Administrative Procedures Governing Appeals, pages 4-10. The proposed processes for consistency determination and appeal have the potential to be resource intensive and are a major concern for local entities. The consistency determination process also may be of concern to the Conservancy in its role assisting local entities with their habitat restoration projects (HCPs, NCCPs) and if the Conservancy chooses to submit projects of their own for review. Concerns expressed by the five Delta counties more than adequately cover the specific concerns regarding these processes and probably only warrant supportive comments from the Conservancy at this time. Discussions between county representatives and Council staff on August 5, 2010, may result in substantial changes to this language in the final draft Interim Plan and the Conservancy needs to make it a point to look at this language.

Specific comments from the five Delta counties are available on the Delta Stewardship Council's website via the following links;

Contra Costa County -

http://www.deltacouncil.ca.gov/docs/dpip_public_comments/Contra_Costa_County_080310.pdf

Sacramento County -

http://www.deltacouncil.ca.gov/docs/dpip_public_comments/Sacramento_County_080310.pdf

Yolo County -

http://www.deltacouncil.ca.gov/docs/dpip_public_comments/Yolo_County_080210.pdf

San Joaquin County –

http://www.deltacouncil.ca.gov/docs/dpip_public_comments/San_Joaquin_County_073010.pdf

Solano County –

http://www.deltacouncil.ca.gov/docs/dpip_public_comments/Solano_County_073010.pdf

Delta County Coalition -

http://www.deltacouncil.ca.gov/docs/dpip_public_comments/Delta_Counties_Coalition-1_073010.pdf

A complete list of all comments regarding the Interim Plan may be found at

http://deltacouncil.ca.gov/public_involvement/interim_delta_plan_public_comments.html.

2. Page 17, Subheading Engage and Establish Working Relationships with Agencies, Lines 29-31. The Council shall establish and oversee a committee of agencies responsible for implementing the Delta Plan. Each agency shall coordinate its actions pursuant to the Delta Plan with the Council and the other relevant agencies. The Delta Conservancy should have representation on this committee.

Potential Opportunities for Conservancy Participation and Proactive Efforts

1. When it is made available, the Conservancy needs to review the list of proposed Early Actions, provide comments as appropriate, and participate in the meetings when the Council makes recommendations for Early Actions (in addition to those specifically mentioned in the statute) to include in final Interim Plan.
2. Determine if there are Early Actions the Conservancy would like to propose to the Council for the review process that will start in September 2010.

Potential Areas of Interest to the Conservancy for future participation

The Conservancy will want to pay attention to—and possibly comment about—how the following items are described and prioritized in the second draft Interim Plan. The legislation referred to is SBX7-1.

1. Page 15, Subheading Responsibilities of the Department of Water Resources (DWR) under Section 85085, lines 25-27. Actions pertaining to improved floodplain in Yolo Bypass, improved emergency preparedness and response, tidal marsh restoration in Dutch Slough and on Meins Landing may fall under the area of interest for the Conservancy. These are actions identified in the legislation.
2. Page 15, lines 32-33. Review of the Delta Protection Commission’s report regarding potential changes in the Primary and Secondary Zones of the Delta. May fall under the area of interest for the. These are actions identified in the legislation.

3. Page 15, lines 34-36. Completion of the economic sustainability plan by the Delta Protection Commission. Implementation of this plan lies with the Conservancy and so is of particular interest to the Conservancy.
4. Page 16, lines 1-3. Development of the Delta Protection Commission's proposal to protect Delta as an evolving place in manner consistent with co-equal goals (Water Code 85301). This is in line with mission of the Conservancy as stated in our enabling statute (Public Resources Code 32322 et seq.).
5. Page 18, lines 2 (end of) – 6 (beginning of). "The council's input shall include, but not be limited to, reviewing the consistency of local and regional planning documents with the ecosystem restoration needs of the Delta and reviewing whether the lands set aside for natural resource protection are sufficient to meet the Delta's ecosystem needs." Until the Conservancy's Strategic Plan is completed and can serve to inform the Delta Stewardship Council in its consistency determinations, the Delta Conservancy needs to be a part of this review process as an implementing agency. Once the Conservancy's Strategic Plan is completed, the Conservancy's role could be re-evaluated regarding this task.

Contact

Cindy Messer, Interim Executive Officer
Sacramento-San Joaquin Delta Conservancy
Phone: (916) 375-2090

Agenda Item: 9, Attachment 3



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

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<http://www.deltaconservancy.ca.gov>

Action Items and Meeting Summary for August 19, 2010

Background

Action Items and Meeting Summary from Conservancy Board meeting on August 19, 2010

List of Attachments

Attachment 1 – Action Items and Meeting Summary

Contact

Susan Roberts, Board Liaison
Sacramento-San Joaquin Delta Conservancy
Phone: (916) 375-2088



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

**Action Items and Meeting Summary
for the August 19, 2010, Board Meeting
at
3500 Industrial Blvd., West Sacramento**

ACTION ITEMS

12. Interim Executive Officer will draft a letter to the Delta Stewardship Council (DSC) regarding the draft Interim Plan using comments from the Board's discussion. She will review with Board Chair Mary Piepho and Conservancy Council Matt Campbell and send to DSC by close of business. A copy of the letter will be emailed to all board members.

MEETING SUMMARY

17. Call to Order

The meeting was called to order at 9:07 a.m., August 19, 2010, by Ken Vogel, Vice Chair of the Sacramento-San Joaquin Delta Conservancy.

Welcome and Introduction

Vice Chair Vogel asked Board members and audience members to introduce themselves.

18. General Public Comments

There were no general public comments.

19. Oath of Office (if necessary)

Counsel Matt Campbell conducted oath of office for Rob Schladale, alternate for Cynthia Bryant, and Jessica Pearson, alternate for Lester Snow.

20. Roll Call

Roll call was taken and a quorum was established. The following voting members were present for the meeting: Mike Eaton, Mary Piepho, Jim Provenza, Dan Taylor, Ken Vogel, Eddie Woodruff, Jimmie Yee, Jessica Pearson and Rob Schladale. The following Liaison Advisors were present: Steve Chappell, Robin Kulakow, Mark Wilson and Mary Grim.

21. Executive Officers Report

- **Delta Stewardship Council Interim Plan.** Ms. Messer explained that the Delta Stewardship Council (DSC) is accepting comments through August 27 on the draft Interim Plan and all comments would be reviewed for either the Interim Plan or future Delta Plan. Those more appropriate for the larger scope of the Delta Plan were being saved for consideration in that context.
- In her [Topics of Discussion staff report](#), Ms. Messer highlighted sections of the draft Interim Plan identifying issues on which the board could comment including, but not limited to:
 - The Interim plan establishes the framework for early actions (programs and projects) proposed to the DSC. It includes a consultation, a consistency determination and an appeals process.
 - The Delta Conservancy is rarely mentioned in the Interim Plan and perhaps the Board would like greater acknowledgement of the organization in the document.

22. **Comments Board Wanted Included in DSC Interim Plan Letter:**

Delta Conservancy

Interim Plan includes no mention of local plans and integration/recognition of Delta Conservancy (DC), local general plans, DPC, and conservation easement.

-Give strong examples, not exhaustive list of local plans/efforts

-Include DC's mission to promote environmental and economic sustainability of the Delta.

More specific language needed for DC funding in Finance Plan. Also, it is important to fund full scope of Conservatory programs, not selective programs.

Mention DC Strategic Plan connection

In light of our Strategic Plan development and future implementation legislative charge, DC needs to be engaged with Early Action reviews (Sept-Nov process). We want to be engaged in developing, selecting, implementing, and supporting projects. Our broad membership provides a balance of the Delta's diverse interests and a place for conversations of these issues to occur.

DC needs to be on as many committees as possible. These actions may impact DC's mandate/legal charge and strategic plan. Participation in Early Actions will better prepare DC and better position DC in light of the cooperation and collaboration needed for implementation. .

Recognize our responsibility with Delta Ecosystem Restoration Plan

Early Actions

We need to seek a balance; determine how to evaluate effects of projects; DC is concerned how to address economical stability in short term.

Does consultation process have legal CEQA definition or will this be an additional process?

Other Agency Inclusion

To extent permitted by law, all projects should be subject to same standards in early review process. All HCPs should follow existing processes in applicable laws.

What blending needs to occur? (Federal, State, Stakeholders). Are advisory committees the right forum for these conversations?

DC welcomes opportunities for coordination and cooperation with DSC, DPC
Need for integration of DC, DSC, DPC work plans.

Environmental

On page vii, map of planned Delta land uses - DC suggests stronger language, like: "expound coordinate and cooperate" and "Build upon existing efforts".

Conflicts – e.g. increased spring inundation conflicts with land mgmt/mercury/habitat/ flood protection.

DC would like to see a balance between aquatic and terrestrial species mentioned.

Where does or should mitigation takes place – define as Delta only or out-of-Delta.

Give full consideration of existing plans and coordinate with existing entities (include lands trust-not just HCP) (Use Central Valley Joint Venture Plan as valuable planning effort tool.)
Use DPC's Restoration Management Plan as foundational document.

There was no substantial mention of the Suisun Marsh activities and there needs to be.

DC thanks DSC staff for improvements in clarifying Best Available Science section in plan – link back to Strategic Plan
Further suggestions for this section include clarifying terminology and criteria for topics such as flow of Sacramento River

There was a question as to whether or not science is a Delta Conservancy role. The board determined to stay within statutory roles, which include science.

Wording

Recognize this is our first official communication to DSC – set tone, desire to partner, aware of time frames, etc.

Concern about lack of detail in final version / Interim Plan

Use term "co-equal responsibilities" addressing ecosystem restoration and economic sustainability in letter

On a unanimous vote, the board directed staff to take these comments and write a letter to Delta Stewardship Council. The letter is to be reviewed by Chair Mary Piepho and Counsel Matt Campbell. Final letter will be sent to DSC by end of day, August 19, 2010.

Meeting Adjourned

Meeting was adjourned by Chair Mary Piepho at 11:01.

Respectfully submitted on September 9, 2010

Susan Roberts, Board Liaison
Sacramento-San Joaquin Delta Conservancy



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

August 19, 2010

Honorable Phil Isenberg, Chair
Delta Stewardship Council
650 Capitol Mall, Fifth Floor
Sacramento, CA 95814

Subject: Sacramento-San Joaquin Delta Conservancy Comments on the Final Draft Interim Delta Plan

Dear Chairman Isenberg and Council Members:

The Sacramento-San Joaquin Delta Conservancy (Delta Conservancy) commends the Delta Stewardship Council (Council) in accomplishing its task of developing its draft Interim Plan under incredible time constraints. The Delta Conservancy recognizes the hard work and dedication it took to develop the plan, and the opportunity to provide you with the following general and specific comments on the draft Interim Plan.

As mentioned in our August 16, 2010 letter, our intent is to offer comments on major issue areas in the Interim Plan that correspond with the legislative language of the Delta Conservancy's mandates. As reflected in these comments, the Delta Conservancy seeks to work with the Council in the development of both its interim Plan and forthcoming Delta Plan. Many of our comments may be used as support to those already made by other local and state entities, and to suggest potential opportunities for the Delta Conservancy to work with the Council in developing specific elements in the Delta Plan.

The Delta Conservancy looks forward to working as a partner with you and with the Delta Protection Commission (DPC) as we move forward in finalizing the Interim Plan and beginning work on the Delta Plan. As you are aware the Delta Conservancy is mandated by the Sacramento-San Joaquin Delta Conservancy Act (as part of SBX 7-1) to serve as a primary state agency to implement ecosystem restoration in the Delta. The Conservancy is also tasked with supporting efforts that advance the economic well being of Delta residents. Specifics about these co-equal responsibilities are listed in Public Resources Code 32322(b).

The legislative mandate for the Delta Conservancy to prepare a Strategic Plan that is consistent with the Delta Plan (See Public Resources Code 32376) was not mentioned in the Interim Plan. We believe the Delta Conservancy and the DSC need to coordinate and collaborate closely as we develop our respective plans, and implement them. We are concerned that if we do not coordinate and collaborate in these early stages, it may negatively impact the Conservancy's ability to meet its statutory mandates and have short-term impacts on economic sustainability for the delta region. This is our mutual opportunity to assist each other in achieving our respective, yet interrelated, objectives.

To facilitate coordination and collaboration, the Delta Conservancy recommends that the Council address the following concepts in developing its Delta Plan;

1. The Interim Plan rarely mentions the Delta Conservancy by name. The Delta Conservancy expects to be a direct partner with the DSC, DPC, and other agencies (both governmental and non-governmental) in Delta ecosystem restoration and economic sustainability projects and programs. For example, Public Resources Code 32360(b)(3) authorizes the Delta Conservancy to spend funds on developing an economic sustainability program based upon the DPC's economic sustainability plan. As the Delta Plan moves forward, the Conservancy is prepared and willing to be an active partner in establishing projects and programs.
2. Given the time frame to complete the Delta Plan, and the nexus to our Strategic Plan, the Delta Conservancy wants to be included in as many of the workgroups developing the plan as is feasible. In particular, the Delta Conservancy feels the need to be an active partner in developing the Finance Plan element of the Delta Plan.
3. Regarding the Finance Plan, the Delta Conservancy believes that there needs to be more specific language about funding the full scope of the Delta Conservancy's co-equal responsibilities, not just ecosystem restoration. Additionally, that multiple funding sources be identified beyond Proposition 1-E for support of the Conservancy's legislative mandates. For example, the DSC should support Proposition 84 funds as a funding source as indicated in the SBX7-1.
4. As the Council begins its review of early actions, the Delta Conservancy believes it can be an effective partner in their determinations. Given the diversity of the Delta Conservancy Board, the Council should consider using the Board as a "ready-made" advisory group. Using the Conservancy Board for advice on early actions could lessen any impact early actions may have on developing the Delta Conservancy's Strategic Plan.

The Delta Conservancy also recommends that in developing its Interim Plan and Delta Plan the Council facilitate coordination of those plans with the Delta Conservancy's Strategic Plan as follows;

- The Delta Conservancy's partnership with the Council and other agencies regarding using, refining, and carrying out the Delta Ecosystem Restoration Plan.
- The Delta Conservancy's partnership with the Council regarding review of ecosystem restoration documents.
- Effective integration of work plans for the Delta Plan, the DPC's Economic Sustainability Plan, and the Delta Conservancy's Strategic Plan.

Our specific comments regarding the draft final Interim Plan

- Page 8, Maps of Planned Delta Uses. The Delta Conservancy suggests that the Council strengthen its language regarding cooperation and coordination with local authorities and land use. The DPC's Resource Management Plan would serve well as a foundational document in this area and as part of your analytical tool box. The Delta Conservancy encourages the Council to build upon existing work and plans, such as the Central Valley Joint Venture Management

Honorable Phil Isenberg, Chair

Page 3

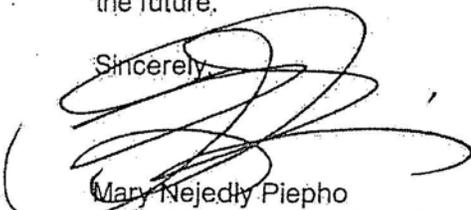
August 19, 2010

Plan, Suisun Marsh Management Plan, and other local planning documents. These are a few examples, not an exhaustive list.

- The Delta Conservancy recommends that the Interim Plan elaborate on the balance necessary between aquatic and terrestrial species, and provide better definition of where mitigation efforts would take place. The Delta Conservancy would also like to see a discussion of what the potential direct benefits from those efforts could be to the Delta communities.
- The Delta Plan should address areas of interest not currently described in detail in the Interim Plan such as the importance of agricultural economic development, as well as recreation, to the local economy and communities as these areas of focus to both the Council and Delta Conservancy as defined in statute.
- The Delta Conservancy thanks the Council for improving the discussion about incorporating and defining best available science. The Delta Conservancy encourages the Council to continue to refine this section of the report and include consideration of necessary flows for the Delta's ecosystem.
- Regarding the approval and appeal process, the Delta Conservancy recommends, to the extent permitted by existing law, all projects should be subject to the same standards in the early actions review process. This approach would allow the Delta Conservancy to understand how these processes link with its developing Strategic Plan.
- There is some uncertainty about what would be considered in reviewing early actions. The Delta Conservancy suggests that the Council include information about potential effects of early actions to the Delta's ecosystem and economic sustainability.

Thank you again for the opportunity to comment on the Interim Plan, and by extension, the forthcoming Delta Plan. The Delta Conservancy looks forward to cooperating and collaborating with the Council in the future.

Sincerely,



Mary Nejedly Piepho

Chair, Sacramento - San Joaquin Delta Conservancy

cc: P. Joseph Grindstaff, Interim Executive Officer, Delta Stewardship Council
Sacramento-San Joaquin Delta Conservancy Board Members
Cindy Messer, Interim Executive Officer, Sacramento-San Joaquin Delta Conservancy
Matt Campbell, Counsel, Sacramento-San Joaquin Delta Conservancy
Don Nottoli, Chair, Delta Protection Commission

Thank you for your consideration!
A.

Agenda Item: 11, Attachment 5



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

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Action Items and Meeting Summary for July 7, 2010
Corrections from August 4, 2010, meeting in red.

Background

Action Items and Meeting Summary from Conservancy Board meeting on July 7, 2010

List of Attachments

Attachment 1 – Action Items and Meeting Summary

Contact

Nancy Ullrey, Program Lead
Sacramento-San Joaquin Delta Conservancy
Phone: (916) 375-2087



SACRAMENTO - SAN JOAQUIN
DELTA CONSERVANCY

Action Items and Meeting Summary
for the July 7, 2010, Board Meeting
at
3500 Industrial Blvd., West Sacramento

ACTION ITEMS

13. Interim Executive Officer will work with the Executive Search committee to set a meeting date to develop search criteria for a permanent Executive Officer. The meeting will be publically noticed
14. Staff will provide the Board with a planning calendar for filling vacant positions.
15. Staff will provide a report to the Board regarding the implications for the Conservancy if the Water Bond is removed from the November 2010 ballot.
16. Staff will contact Senator Feinstein's office to get permission to send out copies of the discussion draft version of her proposed Delta Restoration and Recreation Act. Staff will also arrange for representative from Senator Feinstein's office to attend future Conservancy Board meeting to discuss proposed bill.
17. Staff will amend the Conflict of Interest Code as proposed by the Board.
18. Staff will attend Delta Plan meetings and send the link to the second public draft to the Board.
19. Staff will reschedule the Central Valley Joint Venture presentation to the August meeting.

MEETING SUMMARY

23. Call to Order

The meeting was called to order at 9:05 a.m., June 9, 2010, by Mary Piepho, chair of the Sacramento-San Joaquin Delta Conservancy.

Chair Piepho asked that at future meetings a flag salute be included on the agenda.

24. Welcome and Introduction

Chair Piepho asked Board members and audience members to introduce themselves.

25. General Public Comments

There were no general public comments.

26. Oath of Office (if necessary)

No oath of office was necessary.

27. Roll Call

Roll call was taken and a quorum was established. The following voting members were present for the meeting: Chuck Bonham, Mike Eaton, Mary Piepho, Jim Provenza, Dan Taylor, Ken Vogel, Eddie Woodruff, and Jimmie Yee. The following non-voting members were present: Pablo Arroyave, Steve Chappell, Mary Grim, Jessica Hamburger, and Amy Hutzel.

28. Executive Officers Report

- Executive Officer Recruitment. Ms. Messer explained that the Department of Personnel Administration approval process for the exempt position is facilitated by the fact that the statute calls for the Executive Officer to be exempt. The Delta Protection Commission has opted out of joining their executive officer search with the Conservancy's. The CPS contract for executive search services will take about four weeks; the Executive Search committee will work with Ms. Messer to set up a public meeting to discuss search criteria for the position.
- Conservancy Staff Hiring. There are four vacancies, including the Executive Officer position. Ms. Messer will begin interviewing for the Board Liaison position on July 8, 2010. The other vacancies are an Environmental Scientist/Staff Environmental Scientist position and another Associate Governmental Program Analyst position. At a later meeting, the Board will be asked to discuss the Conservancy's future and possibly rethink some position classifications.
- Headquarters Search. DWR has agreed to extend the MOU to June 30, 2011. Ms. Messer met with the Department of General Services to begin the search for permanent office space, which she anticipates the Conservancy will have in 12 to 14 months. The focus for new office space will center in West Sacramento, and Ms. Messer hopes to bring a list of options to the Board at its August meeting. The idea of co-locating DPC may no longer be an option because the DPC has already selected a site.

- Budget. Ms. Messer took out the additional 5 percent, as mentioned in the June meeting, which leaves about \$91,000 for operating costs. She will bring a new budget summary to the Board at its August meeting.
- Water Bond. Chair Piepho requested that staff prepare a report outlining the potential impacts to the Conservancy's budget and programs if the Water Bond is not on the November 2010 ballot.
- Conservancy Interactions with Other Agencies. Conservancy staff attended three meetings at other agencies, and developed a log of meetings attended. Chair Piepho asked that the staff continue using the form listing interactions with other agencies.
- Travel Expense Claims (TEC) Forms and Volunteer Time Sheet. Ms. Messer will find out if the Board members can FAX in their travel expense claims or if she is required to collect an original signature from them, and will email to what she's found out to the Board members. Board members were encouraged to contact staff with specific expense claims questions. Ms. Messer said she can collect monthly travel expense claims, but these will not be paid out until the budget is passed. Ms. Messer will advise the Board regarding whether or not the non-voting members need to fill out volunteer time sheets.
- CEQA Review. Ms. Messer informed the Board that the Conservancy does have CEQA review responsibilities. Staff will prepare a report for the Board to review in its August meeting.
- Legislative Update. Legislation correcting a mistake in SBX7-1 was passed in the Legislature; the correction identified the Department of Commerce, rather than the Department of the Interior, as the appointing agency for the NMFS advisory liaison to the Board. Ms. Messer mentioned that Senator Diane Feinstein has a discussion draft out about making the Delta a National Heritage Area; the bill's language includes \$2 million for the Delta Conservancy to complete its strategic plan. A copy of the discussion draft is available at: <http://www.delta.ca.gov/res/docs/CEL10454.pdf> . Chair Piepho asked staff to invite someone from the Senator's office to come to one of the Board's meetings, the sooner the better.
- High Level Agenda. Ms. Messer said that this planning tool will be revised for the next meeting to include issues that have emerged since it was first developed. Member Provenza read from the statute to remind the Board that part of the Conservancy's role is to help advance the economic well-being in the Delta (Public Resources Code Section 32322).

29. Ratification of the Conservancy's Organizational Chart

The Board ratified the Conservancy's organizational chart by an 8-0 vote.

30. Conflict of Interest Code

Matt Campbell, the Conservancy's attorney, said that the conflict of interest code does apply to alternates, and the deadline for their Form 700 is 30 days after they take their oath of office. Alternates at that time are also subject to the ethics training requirement that must be completed within six months of taking their oath.

Voting members who have already taken ethics training do not need to repeat the training as long as it was conducted by a State agency, has not expired, and was taken within the last two years.

Conflict of interest code requirements only apply to voting members of the Conservancy Board.

In discussing the proposed conflict of interest code, Member Provenza said that the Board should be informed regarding consultants' levels of disclosure. Mr. Campbell suggested that it was not necessary to put that in the code, and that the Board could direct the staff to brief the Board regarding consultants' reporting requirements on a case-by-case basis. **The Board voted 8-0 that the Executive Officer be required to inform the Board of the consultants level of disclosure.**

By law, the conflict of interest code does not apply to non-voting members of the Board; the Board noted that fact and asked that the proposed conflict of interest code for the Conservancy be amended to specifically state that provisions applied to the voting members. The Board voted 8-0 to accept the proposed conflict of interest code, as amended, and to direct staff to proceed with the rulemaking process.

31. Consent Calendar Items

The Board approved the consent calendar items on a vote of 8-0.

32. Delta Plan Overview

Joe Grindstaff, interim executive officer for the Delta Stewardship Council, gave an overview of the Delta Plan and the schedule for completion that includes a draft by the end of 2010. The Delta Plan is to be completed by mid- 2011.

Mr. Grindstaff encouraged Board members to read the second interim plan draft and to look at and comment regarding policies. Mr. Grindstaff said that the Delta Stewardship Council was setting up an interagency team to keep organizations, including the Conservancy, involved in and informed about the Delta Plan.

Staff was directed by the Board to attend Delta Plan meetings and to email the link to the second public draft to the Board.

33. Bay Delta Conservation Plan (BDCP) Overview

Karla Nemeth, from the California Natural Resources Agency, gave a presentation about the BDCP. The BDCP schedule includes a public draft by the end of 2010 and a draft environmental impact statement/environmental impact report (EIR/EIS) in the first half of 2011. The final BDCP and final EIR/EIS is scheduled for the beginning of 2012.

The Board had many questions for Ms. Nemeth, ranging from factual clarifications regarding restoration acreages to technical questions regarding the proposed canal or tunnel—alignment and capacity. The Board also asked what their role was in the BDCP process.

Ms. Nemeth said that it was critical for the Delta Conservancy Board to comment on the public review draft, and that the Board's comments would be most relevant in the implementation scheduling and refinement sections.

34. Central Valley Joint Venture Management Plan Presentation

The Central Valley Joint Venture Management Plan was held over for the August Board meeting because the BDCP presentation and questions lasted longer than originally planned.

35. Public Comments

There were no public comments.

Respectfully submitted on July 12, 2010

Nancy Ullrey, Program Lead
Sacramento-San Joaquin Delta Conservancy