

**YOLO BYPASS WORKING GROUP
MEETING 29
MEETING MINUTES**

MEETING DATE: MARCH 26, 2004

LOCATION: California Department of Fish and Game
Yolo Wildlife Area Headquarters
45211 County Road 32B (Chiles Road)
Davis, CA 95616

IN ATTENDANCE: Robin Kulakow, Yolo Basin Foundation
Dave Feliz, California Department of Fish & Game (DFG)
Dave Ceppos, Center for Collaborative Policy (CCP)
Ric Reinhardt, MBK Engineers
Ed Towne, Bullsprig Outing
Casey W. Cady, California Department of Food and Agriculture
Robert Eddings, California Waterfowl Association (CWA)
Lauren Hastings, California Bay-Delta Authority Ecosystem Restoration Program
Lori Clamurro, Delta Protection Agency
Brad Burkholder, DFG
Spencer Larson, DFG
John Currey, Dixon Resource Conservation District (RCD)
Marianne Kirkland, California Department of Water Resources (DWR)
Mike Perrone, DWR
Ted Sommer, DWR
Bill Harvey, DWR
Jerry Bare, DWR
Greg Green, Ducks Unlimited
David Kohlhorst, Glide In Ranch
Don Stevens, Glide In Ranch
Jack Palmer, H Pond Ranch
Armand Ruby, Larry Walker and Associates
Rick Martinez, Martinez Farms

Ben Tustison, MBK Engineers
Ron Morazzini, Supervisor Mike McGowan
Tom Moore, Natural Resources Conservation Service (NRCS)
Salley Negroni, NRCS
Dick Johnson, NRCS (Bay-Delta)
Walt Cheechov, NRCS
John Brennan, Wildlands, Inc.
Butch Hodgkins, Sacramento Area Flood Control Agency (SAFCA)
Mick Klasson, SAFCA
John Legakis, Senator Outing

Ralph Bulkley, Skyraiders Duck Club
Betsy Marchand, State Board of Reclamation
Ron Tadlock, Tadlock Farms
Tom Harvey, US Fish and Wildlife Service,
Stone Lakes National Wildlife Refuge
Dirk Brazil, Assemblywoman Lois Wolk Field Representative
Rachelle De Clerck, Yolo Basin Foundation
Brett Williams, Yolo County
Beth Gabor, Yolo County Board of Supervisors- Helen Thompson
Tim Heidrick, Yolo County Farmer
Chuck Dudley

NEXT MEETING: May 13, 2004 or June 17, 2004 from 10:30 am to 1:30 pm

Dave Ceppos called the meeting to order. The Working Group has been in existence for 3 and ½ years. During that time the Yolo Bypass Management Strategy was created close to two years ago. The Management Strategy has been used by many agencies in the area as an informative document about local stakeholder sentiments regarding the Yolo Bypass (Bypass).

Previous meeting minutes were adopted as final for the project administrative record.

Mr. Ceppos briefly summarized the agenda and gave a short report on the Bay Delta Authority Grant. The Bay Delta Authority has extended the Working Group grant for two more years. This is in large part do to the extensive savings incurred while converting mailings to e-mails.

**Update on Regional Water Quality Control Board Agricultural Waiver
Water Quality Issues
John Currey, Dixon RCD**

The agricultural waiver program is moving forward and there are no major changes to the July 2003 rules. In other words, landowners must be part of a group or comply with the agricultural waiver as individuals. The Dixon RCD has sent out the fee notices to participating land owners. Yolo RCD is expected to wait until the April 15th submission date before sending out fee notices.

The Dixon RCD will begin monitoring water discharges on July 1st and is currently working towards reducing the number of monitoring sites that were included in the budget. Dixon RCD budgeted \$2.00 per acre for monitoring but the state has not finalized the budget. If the state approves the number of anticipated sites projected in the budget, the fees should carry the project through the rest of the calendar year and the next budget year.

On January 15th, the North Delta Water Agency sent a notice reporting they will not be facilitating a program in their region and land-owners need to contact the appropriate representatives in their area. The Dixon RCD is the representative for Solano County and most of the southern Bypass.

Update on Yolo Bypass Water Quality Planning Process
Armand Ruby, Larry Walker Associates

The Yolo Bypass Water Quality Planning process integrates all water quality projects in the Bypass, including recreation and agriculture. The monitoring program is based on a list of pollutants of concern including metals, pesticides, nitrates, and organic carbon. Dissolved solids, color, electrical conductivity and bacterial indicators such as fecal coliform and e-coli are also included in the monitoring plan.

Currently there are four months of monitoring data beginning with November 2003. Twelve sites were set up from the Knights Landing Ridge Cut (Ridge Cut) through Willow Slough to the Yolo Bypass Wildlife Area and further downstream. The eastern side of the Bypass was also included.

November, December and January were dry weather monitoring months and samples were collected from all sites except Fremont Weir and Sacramento Weir due to lack of flow. February was a wet weather-monitoring month and both weirs were sampled. Some sites were not sampled during February including the southern most monitoring site due to excessively wet conditions on the levee and the central Bypass sites because they were under water.

One set of toxicity tests has been collected at four main input streams. All toxicity test results were negative at these sites. These tests will be repeated three additional times during the upcoming sampling year.

Water quality testing result concentrations were generally higher during flood events. Mercury and bacterial levels were concentrated at these times. During dry sampling events there are fairly high levels of mercury in Cache Creek, where by contrast, during flood events mercury is approximately three times higher at all sampling locations.

Participant Question: Was total mercury and methyl mercury equalized at all sampling locations?

Answer: Only total mercury was measured during the February sampling event.

Participant Question: When the Bypass floods with the higher mercury, will landowners be responsible for the mercury that settles from the flood event onto their property, especially when the properties are re-flooded and the excess mercury flows off the landowner's property?

Answer: Currently Larry Walker and Associates is looking into that matter. They are aware that the mercury is mobilized but do not have a regulatory compliance answer to this question yet.

Participant Question: Are sampling locations during flood events all downstream of Cache Creek?

Answer: No. Fremont Weir is upstream of Cache Creek and showed 25 parts per thousand (ppt) mercury in sample results.

Participant Question: What were the sampling results at the Ridge Cut?

Answer: Mercury was 10 ppt at the Ridge Cut, which is low but three times higher than during dry sampling events.

Historically the Berryessa Range was where many mercury mines were, but the mercury was also transported across the valley for gold mining in the Sierra Foothills. Therefore, the American River drainage is often high in mercury also.

Participant Question: Which side of the Fremont Weir was tested?

Answer: The southwest side because it gives a better picture of Sacramento area water. The east side of the Bypass is predominantly Sacramento River water.

Participant Question: What type of sampling are you doing?

Answer: Unfiltered water samples are collected and it is probable that the elevated source of mercury during flood events is from the additional suspended sediments.

Participant Question: Is the sampling data available for public review?

Answer: It will be available at a later date.

Participant Question: Are any sediment samples being collected?

Answer: Not currently. Sediment samples are on the wish list, but additional funding is needed.

Participant Question: Where is the Ridge Cut sampling site?

Answer: County Road 16 just west of the Bypass.

Participant Question: Was the sampling regime frequency changed?

Answer: Yes, additional funding from the City of Woodland was acquired and volunteer samplers were used whenever possible.

Participant Question: Will sampling continue through next winter?

Answer: Sampling will continue through November 2004.

Dave Ceppos: It may be advantageous to partner with Department of Water Resources to get a grab sample in the middle of the Bypass when it is flooded next year.

Participant Question: What were the results for additional monitoring program parameters at the Ridge Cut sampling site?

Answer: The remaining monitoring program parameters were not significantly different from any of the other sampling sites.

Participant Question: Were samples taken when rice drainage water was coming downstream from the Sacramento Valley?

Answer: Sampling was started in November 2003 and will continue monthly, ending in November 2004. so likely reflects rice drainage.

Update on SAFCA Regional Planning Process/Sacramento River Corridor Forum Process Butch Hodgkins, SAFCA

The SAFCA Regional Planning Process/Sacramento River Corridor Forum is an effort between SAFCA, the Reclamation Board, the Cities of Sacramento and West Sacramento, and the counties of Yolo, Sacramento and Sutter. The focus of the forum is to better understand, recognize, and protect flood control efforts in relation to development and recreation within the context of a more formal plan.

The Forum adopted a plan from the River Front City Development and interim guidelines have been developed. Currently the Forum is trying to adopt the guidelines as permanent for the areas from Clarksburg to Fremont. Anyone interested can participate in the process, see www.SAFCA.org or the local reclamation board websites

Update on Yolo Bypass Wildlife Area Management Planning Process Dave Feliz, DFG

The Yolo Bypass Wildlife Area received a grant from the Wildlife Conservation Board (WCB) for \$200,000 to support hiring a consultant to prepare the Management Plan and associated environmental compliance. It was determined that a request for qualified applicants is needed. The start date is scheduled for June 1st and is anticipated to be an 18 month project. The plan should coincide with the third phase of the NAWCA projects. Larger scale restoration of newly acquired lands is scheduled to begin in 2007.

When the additional lands were acquired for the Wildlife Area, it was under the assurance that participation from local groups, such as the Working Group would be included. The amendment to the CALFED grant solidified that assurance.

Yolo Bypass Wildlife Area Joint NRCS-DFG Restoration Project

Dave Feliz; DFG

MBK Engineers

NHC ConsultantsThe Wetlands Reserve Program

- NRCS purchases conservation easements with willing/eligible landowners
- Restore natural wetland function and values to the extent possible

Typically the NRCS is responsible for the Wetlands Reserve Program however it is being turned over to DFG.

The original plan was to restore the riparian habitat along the southern length of Putah Creek within the Bypass. That plan has been adjusted and the riparian area will be enhanced along the edges and a narrow new zone will be designed to work with the predominant Bypass flood water flows.

Hydraulic Impact Analysis.

The US Army Corps of Engineers (USACE) Comprehensive Study UNET model was used for the hydraulic impact analysis. The results show the projected water surface elevations that could take place at current, existing locations due to implementation of the proposed restoration project. Change in water surface elevation was un-measurable at Lisbon Weir, Sacramento Weir, Woodland gauge, as well as up and downstream of the project. A change of only 0.01 of an inch at I-80 was calculated.

Participant Question: What were the restoration goals according to species and habitat?

Answer: The restoration goals will include Swainson's Hawk, Giant Garter Snake, waterfowl, and seasonal habitats. Native plants, such as Santa Barbara sedge, will also be incorporated.

The habitat breakdown is:

21 acres Riparian (most of this is existing)

11 acres Upland

25 acres Permanent Wetlands

115 acres Seasonal Wetlands

The goal is to direct flow downstream towards the Putah Creek Sinks.

Participant Question: How deep are the ponds?

Answer: The permanent ponds are about 4-feet deep and the seasonal ponds are approximately 1.5-feet in depth.

Financial Situation at the Wildlife Area

State budget cuts have significantly impacted the Wildlife Area. At present there is no operating money for the Wildlife Area and next year's budget has not been secured. Funds from the agricultural leases will help with the budget shortfall, however the restoration projects need secure and adequate funding

Participant Question: What is in the budget currently? How is DFG allocating resources for the Wildlife Area?

Answer: There is currently no budget.

Participant Question: What is the charge for a daily hunting pass?

Answer: \$13

Participant Question: The funding that is currently available is for developing the plan only and does not include money for management and implementation?

Answer: Yes. The agricultural money was originally used for maintaining roads, parking lots, etc., but now it will be used to pay for the everyday bills such as electricity for the pumps.

DFG has an agreement with the Dixon RCD where all the agricultural lease income will stay at the Wildlife Area.

Participant Question: Are all of the other DFG Wildlife Areas receiving severe cuts?

Answer: Some areas are worse than others. Yolo Wildlife Area relied on environmental license plate funds which were diverted to other departments which resulted in the severe cuts to the Yolo Wildlife Area.

Participant Question: What about using volunteer groups to help man check stations?

Answer: That is a possibility that needs to be looked into.

Participant Question: Is it possible between now and the next Working Group meeting to come up with a list of where volunteers can be utilized?

Answer: Many of the jobs in the Wildlife Area require special skills, including tractors and equipment. In addition many of those jobs enable the prevailing wage rule.

Deseret Farms Purchase and Future Land Management Proposals Craig Denisoff, Wildlands, Inc.

Wildlands Inc, is a private, for-profit company that is in the business of habitat development, land management, and land holdings. Many of the properties are utilized for mitigation of wetlands, endangered species, rice, ranching, row crops and vineyards. TheRiver Ranch, a 3,682 acre site, is located at northeastern Yolo County north of I-5.

Participant Question: Is the property in the Bypass just south of DWR's property?

Answer: Yes

Hydrologically the site is interesting because of the multiple confluences of the Sacramento River, Feather River, Butte Creek and Sutter Bypass, Sacramento Slough, and others. The land is primarily agriculture with roughly 800 to 1000 acres in walnut orchards. Wildlands will manage and obtain money from the orchards for the next five years.

Wildland's plan is to maintain some of the orchards, rice and other row crops. Half of the property will be in irrigated pasture and the remaining half will be in mitigation banking for habitat. Much of the property is marginal ground that will be used for mitigation banking and the better properties will be utilized for agriculture. Swainson's hawk, valley elderberry long-horned beetle mitigation habitat will be integrated with the high value agricultural lands. The goal is to have the agricultural crops to pay the property bills.

The property is unique for multiple reasons, especially in relation to hydrologic properties and the confluences of the Sacramento River, Sutter Bypass, and the Feather River. Discussion of modifications to Fremont Weir will be an issue for this site, and Wildlands is looking for guidance from other parties for site development. Fisheries passage improvement could be another possibility.

Participant Question: What are your water rights?

Answer: There is a settlement contract and overlapping contracts for water rights. Wildlands is working on getting contract rights to take water from the ridge cut.

Participant Question: Do the water rights include pre-1914 rights?

Answer: Only in the riparian zones.

Participant Question: Will there be public access to the property?

Answer: County Rd 16 will be open for hunting, but to the road will likely include a turnaround to direct people out.

Participant Question: Any policy on water rights with neighbors?

Answer: There are none so far, but working on a good neighbor policy.

Participant Question: Are the goals for land use in agriculture and habitat based on demand or need? If there is the opportunity to devote 50% of the property to habitat will it happen?

Answer: The land use will be controlled by an agricultural easement, which will be locked down before mitigation begins. It is probable that the property will be 80% agriculture and 20% habitat.

Participant Question: Where will water from the property be discharged?

Answer: All property discharge is released to the Tule Canal in the Bypass.

Participant Question: What types of agricultural easements are associated with the property and what are the sources?

Answer: It is anticipated that the easements will be typical, but the easements are currently under development.

Participant Question: The Reclamation Board used Wildlands, Inc. for an easement. The contract required that the water on the land remain to satisfy the requirements for the mitigation. On the agricultural easements, will there be contracts that you will keep the water on the land as opposed to fallowing fields to sell water.

Answer: The water on the property is dictated by the conservation easement values.

Participant Question: If the easement requires water to stay on the land, can it be taken off the agricultural fields and into habitat where it can be utilized for hunting?

Answer: In order to maximize the value of the property, hunting will be included.

Participant Question: What percent of Pope Ranch (Lower Bypass) flooded?

Answer: There was flow over the entire property.

Participant Question: When Fremont Weir spills how does it flow over the property?

Answer: Water from Fremont Weir inundates the property at a diagonal on the southwest portion of the site.

There are 600 acres of walnuts along the river and an orchard will be removed in the northeast portion of the property. Rice, beans, tomatoes, wheat, corn and safflower will be included on the site. Heavy clay soils in the middle of the property are ideal for rice.

Participant Question: How will agricultural easements affect or be affected by future flood management practices?

Answer: That will depend on how the agricultural easement is written. There is a low demand for habitat currently.

Participant Question: The agricultural easements may be used to offset other agricultural loss in other places. Therefore, is the site predominantly just agricultural mitigation as opposed to species? Are these mostly private agricultural easements?

Answer: The integrated agricultural mitigation project has enough money to keep it running.

Aerial Photos of February Bypass Flood Event Butch Hodgkins, SAFCA

SAFCA flew over the Bypass on February 19th in order to assess what can be done to preserve portions of Bypass from late spring flooding and to make agriculture more viable in the Bypass without problems.

The photos are digitized with each being approximately 70 MB a piece. The resolution can be reduced if exact detail is not important.

Participant Question: Are the photos all ortho-rectified and in a geographic information system system?

Answer: No, but if someone is interested in doing this, SAFCA would be interested. DWR staff stated that they can help in this effort.

The Sacramento River flood management system is not set up to give information about a small flood event. The Woodland Gauge is set up according to USGS but not with Tule Canal water, therefore it is not registering additions to the Tule canal. In other words, it is not reliable until flows of 40 or 50 cubic feet per second (cfs) are reached.

It appears that the little flood events are affecting a minimum of 50% of what is happening in the Bypass. The big flood events usually come after local small events.

Participant Question: What is the capacity of Sutter Bypass before Fremont Weir spills?

Answer: Fremont spills when the Sacramento River is at 33.5 feet height. Sutter Bypass is probably 10% filled before Fremont Weir spills, assuming the Feather River isn't flowing into the Sutter Bypass.

In 1986 the Bypass took more water than ever before and was over the rated capacity. The Bypass could potentially be overwhelmed especially if more water is forced over Fremont Weir or a levee fails upstream.

Participant Question: How did the flows look on the American River this year?

Answer: American River was a dribble.

Participant Question: Did the photos include Fremont Weir?

Answer: Yes.

Participant Question: How are the new housing tracks in the region going to impact flood control?

Answer: If current land use planning isn't changed an additional 400,000 acres of non-urban use properties will be consumed, which will increase the amount of water in the system significantly.