

**YOLO BYPASS MANAGEMENT STRATEGY
STAKEHOLDERS WORKING GROUP MEETING NO. 6**

***DRAFT*
MEETING MINUTES**

MEETING DATE: April 14, 2000

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

IN ATTENDANCE: Robert Brown, Bull Sprig Outing Duck Club
Regina Cherovsky, Conaway Ranch and Reclamation District 2035
Clifford DeTar, Little Hastings Island
Chuck Dudley, Joe Heidrick Enterprises
Mike Egan, Yolo Flyway Farms
Dave Feliz, Department of Fish and Game
Chris Fulster Jr., Glide-In Ranch
Bob Gill, R.C. Gill & Son
Mike Hardesty, Reclamation District 2068
Bill Harrell, DWR
Greg Kassis, Glide In Ranch
Bob Leonard, Yolo Basin Farms
Rick Martinez, Martinez Farming Co.
Duncan McCormack, Yolo Ranch
Gary Moody, Yolo Wings
Scott Morgan, W. T. Morgan Real Estate Co.
Dennis Murphy, Murphy Farms
Ashley Payne, Rancher
Lynn Pryor, Yolo Links
Ted Sommer, California Department of Water Resources (DWR) and
University of California at Davis
Ron Tadlock, Ron Tadlock Farms
Ray Thompson, Sky Rakers Duck Club
Ed Towne, Bull Sprig Outing Duck Club
James Waller, Senator Outing
Will Wylie, H Pond Ranch
Robin Kulakow, Yolo Basin Foundation (YBF)
Dave Ceppos, Jones & Stokes
Alice McKee, Jones & Stokes

Luke Rutten, Jones & Stokes
Jennifer Stock, Jones & Stokes
Gus Yates, Jones & Stokes

NEXT MEETING: The next Working Group meeting will be held on Friday May 12, 2000, from 10:30 a.m. to 1 p.m. at the Department of Fish and Game Yolo Wildlife Area Headquarters. Lunch will be provided. Members of the Working Group are asked to call Jennifer Stock at 916/739-3086 to confirm their attendance.

ACTION ITEMS

1. Copies of the revised hydrologic graphs will be distributed with the April meeting minutes.
2. The project team will investigate the availability of Sacramento River sediment studies and present the studies they locate to the Working Group at a future meeting.
3. Jones & Stokes and YBF will continue to work on the CALFED Bay-Delta Program (CALFED) proposal to fund a comprehensive project that continues the ongoing project and addresses concerns of the Working Group. The draft proposal will be sent to Working Group members for review before the next Working Group meeting.
4. The changes to the proposed draft Management Strategy report outline will show that the Working Group suggested will be incorporated into the outline before it is included with the CALFED proposal.
5. The revised draft Management Strategy outline will be included with the minutes from this meeting.

DECISIONS MADE

1. The Working Group approved the draft minutes from the March 9, 2000 meeting. Those minutes will now be adopted as final.
2. The Working Group agreed to continue work on the CALFED proposal (as discussed herein).
3. The Working Group agreed to create a CALFED proposal subcommittee to make the proposal development more efficient. The subcommittee includes: Regina Cherovsky, Chris Fulster, Bob Leonard, Rick Martinez, Dennis Murphy, Ron Tadlock, and Ray Thompson.
4. The Working Group approved the Draft project information sheet as final with no changes.
5. The Working Group agreed to include the revised draft Management Strategy report outline with the CALFED proposal.

SUMMARY OF MEETING

Introduction

Mr. Ceppos began the meeting by welcoming the group and reviewing the agenda and then asked for changes or additions; there were none. He also asked for changes or additions to the March 9, 2000 meeting minutes; there were none. The March meeting minutes were then adopted as final.

Mr. Ceppos asked the attendees to introduce themselves.

Mr. Ceppos then introduced Gus Yates, hydrologist, and Luke Rutten, geomorphologist, from Jones & Stokes, to give an update on questions raised at the last meeting regarding the hydrologic data that were presented.

Hydrologic Update

Mr. Yates explained that the graphs distributed at the March meeting had been revised to reflect the use of U.S. Army Corps of Engineers' (Corps) datum instead of sea level, at the request of the Working Group. Copies of these revised graphs will be distributed with the April meeting minutes.

Mr. Yates then addressed the Working Group's question about flood frequency and duration at the Fremont Weir. The graphs shown at the March meeting presented data for the Lisbon Gage; Mr. Yates showed graphs that presented the same data for the Fremont Weir. The patterns of flood frequency and duration are generally the same as the patterns for the Lisbon Weir. Slight differences reflect occasional brief spills at the Fremont Weir that do not cause spilling at the Lisbon Weir. In addition, the graphs show that the Fremont Weir spills for a few days before registering at the Lisbon gage, and the area adjacent to the Lisbon Weir tends to remain flooded for a few days after the Fremont Weir stops spilling, as water levels decrease. Mr. Yates indicated that due to the distance between the two structures, these results are not surprising.

Mr. Yates also showed graphs of the same information for the Sacramento Weir. These graphs indicate that the Sacramento Weir spills much less frequently than does the Fremont Weir.

Another question posed at the March meeting was whether the amount of flow in the Sacramento River that causes the Fremont Weir to spill has changed. Mr. Yates addressed this issue, stating that he had compared the flow at the Verona gage (on the Sacramento River) with the flow at the Fremont Weir for the number of years for which records for both were available. He found a fairly consistent pattern, indicating that although there were periodic shifts in the rating curve, there was no consistent trend. He offered two possible explanations for this pattern:

- # the Sacramento River bed is fluctuating but the U.S. Geological Survey only updates its rating curve periodically, so gradual changes appear as these periodic shifts; or
- # the data reflect periodic deposition or erosion of the river channel bed associated with large flood events.

He concluded that there is no evidence of long term changes in Sacramento River bed elevations over the past 30 years, and therefore no changes in the flow at which the Fremont Weir begins to spill.

Mr. Towne asked Mr. Yates if his analysis included Cache Creek.

Mr. Yates replied that his analysis did include Cache Creek. He then stated that he is continuing his research regarding Colusa Basin drainage and the Knights Landing Ridge Cut. Mr. Yates added that he would present this additional data at a future meeting.

Mr. Thomson asked if the new housing being built near Arco Arena would increase the amount of water flowing into the Yolo Bypass (Bypass). Mr. Yates answered that the Sacramento Area Flood Control Agency had development requirements regarding water detention; he did not know what the requirements were for that area.

Mr. Ceppos noted that all new developments must discuss, in a NEPA or CEQA environmental compliance document, hydrologic impacts resulting from their construction. He added that although such developed areas are often in the Reclamation Board's (Board) jurisdiction, the Board does not have the budget or staff to play a large role in reviewing these environmental compliance documents.

Mr. Thompson stated that new developments in Davis and Woodland are required to include onsite storm water detention because these cities do not have adequate infrastructure to handle large increases in runoff. In contrast, areas that simply pump stormwater to the Sacramento River do not require onsite detention, although this additional water in the river affects the frequency and duration of flooding in the Bypass. He added that all new developments in the region should require some onsite water detention.

Mr. Brown asked how much silt has been deposited in the Bypass since it was constructed. He mentioned that there are fences that are now buried by deposited silt.

Mr. Tadlock responded that he does not believe the Bypass has gained sediment.

Mr. Ceppos added that Green's Lake has not filled in from sedimentation. He continued, stating that Mr. Yates and Mr. Rutten's upcoming work includes field visits to meet with individual landowners, hear individual issues and concerns, and learn about their operations and maintenance requirements, e.g., how often sediment has to be cleared out of irrigation canals. These visits should help answer the sedimentation question.

Mr. Ceppos added that anyone who had not been contacted about field visits and would like to meet with the hydrology staff should contact Mr. Rutten at 916/737-3000 or Ms. Kulakow at 530/756-7248 to arrange a field visit.

Mr. Yates added that he and Mr. Rutten are especially interesting in determining parameters for timing dry season flooding for shallow water fish habitat and will be looking for information such as pumps locations so that any proposed plans can be designed to avoid affecting existing infrastructure.

Mr. McCormack III asked if the project team has been conducting any studies of sediment in the Sacramento River.

Mr. Yates responded that the team has not but that such studies by other parties probably exist. He stated that he would look into this request and bring any information he finds to the Working Group.

Mr. Yates continued about another question raised at the March meeting involving the approximate magnitude of the 1986 and 1997 floods. He stated that according to the Corps', both of these floods were 70-year flood events. The Bypass was considered to be at capacity during the 1986 flood, indicating that it has a 70-year flood capacity rather than the 100-year flood capacity that it was built to accommodate. He explained that it is now clear that the first half of the 20th century was relatively dry compared to the second half, but that flood capacities were calculated based on data from the first half. As a result, the capacity ratings of facilities such as the Bypass have been changed recently.

Mr. Hardesty explained that the Bypass was designed to accommodate maximum flows between 490,000 to 505,000 cubic feet per second.

Mr. Martinez asked what hydraulic models for the Bypass are available or will be created.

Mr. Ceppos stated that this issue was one that the Working Group needed to discuss regarding the CALFED proposal.

CALFED Proposal to Fund the Next Steps for the Project

Mr. Ceppos explained that the scope of the CALFED proposal has expanded from its original intent of investigating fair market compensation for land use changes intended to benefit habitat. He stated that at the March meeting, the Working Group agreed that the group, YBF, and Jones & Stokes would all work together to submit a proposal to fund a continuation of the current Management Strategy project, particularly an assessment of fair compensation for any changes to current land use practices intended to improve fish and wildlife habitat. A consensus vote of the Working Group approved this idea. Since the March meeting, YBF and Jones & Stokes (the "project team") have discussed many of the issues raised in past Working Group meetings. Based on these discussions, the project team decided to suggest that the original proposal approach be expanded from what the Working Group discussed in March. Mr. Ceppos explained that the fair compensation issue is still

a major component of the proposal but that some other components had been added to make the proposal more comprehensive. He stated that the ultimate goal is to have the funds available to keep the Working Group going and playing an important role in determining the future of the Bypass.

Mr. Ceppos emphasized that Jones & Stokes is working on the proposal as a marketing project, and that Jones & Stokes employees were not billing time spent on the proposal to the current Management Strategy project.

Mr. Ceppos then explained that the draft proposal could include the following components that would continue the Management Strategy process:

- # **Fair Compensation Program.** A process through which the landowners, with guidance from agricultural appraisers and economists, would determine formulas for setting fair compensation for a variety of possible actions that would benefit habitat.
- # **Memorandum of Understanding.** Development of an Memorandum of Understanding (MOU) with the agencies would formally establish the Working Group as the public review and advisory body for any public actions proposed for the Bypass.
- # **Hydraulic and Hydrologic Modeling.** Hydraulic and hydrologic modeling of potential land use changes would assess the effects these land use changes have on large scale and site-specific flooding conditions and on individual land owners.
- # **Assurances.** Further definition and progress towards formalizing the assurances, e.g., Safe Harbor, would be required for landowners to agree to land use changes.
- # **Cost-Benefit Analysis.** Information developed through the fair compensation task and modeling task would be interpreted to identify and estimate the major economic benefits and costs associated with possible habitat enhancement activities in the Bypass.
- # **Post-Project Monitoring.** An evaluation at the end of the project of the Working Group process would assess whether it is an effective model for public participation in habitat enhancement projects involving private lands and to make recommendations for improving the process for future projects.

Mr. Ceppos explained that the chances of CALFED funding these next steps in the Management Strategy process would be greatly increased if they were submitted under one single proposal. He emphasized that the version of the proposal sent to the Working Group was a draft and could change completely based on input from the Working Group. He then reviewed the draft proposal.

Mr. Ceppos began by discussing the hydraulic and hydrologic modeling task. He explained that the Corps' Comprehensive Study was looking at the whole system and had done some modeling with cross sections at intervals of 1,048 feet. This interval is much too large to be useful for modeling the effects of specific actions in the Bypass.

Mr. Yates added that the focus of the Comprehensive Study's model was on really big floods in the Central Valley. He explained that the work being proposed would add to the Corps' data, so that a model used to study small events and changes could be built.

Mr. Yates has done an initial sensitivity analysis on his own time to see if the proposed model would work; he has determined that it will. However, additional funds are needed to provide the detailed data needed, to build the model, and to conduct test runs.

Mr. Ceppos emphasized that the intent of the proposed modeling is to give the Working Group the tools needed to understand existing conditions and the affects of potential changes in the Bypass.

Memorandum of Understanding

Mr. Ceppos then addressed the MOU task. He explained that many MOUs have been discussed lately, and emphasized that the MOU proposed would not be related to the proposed U.S. Fish and Wildlife Services' (USFWS) North Delta National Wildlife Refuge (Refuge). Instead, this MOU would formalize the importance of the Working Group.

Mr. Kassis asked what the governance of the MOU would be.

Mr. Ceppos responded that he did not know. He added that if the proposal is funded, part of the MOU task would be for all participants in the MOU to decide how they want to set up governance of the MOU.

Ms. McKee added that although the MOU would not be legally binding, it would likely be politically binding, depending on the parties who eventually sign it.

Ms. Kulakow added that the State Resources Agency wrote a letter to the USFWS about the proposed Refuge saying that the agency would support the proposed Refuge only if the USFWS developed an MOU with landowners in the Bypass.

Mr. Ceppos stated that the desired outcome of the proposed MOU would be that anyone interested in undertaking projects in the Bypass would have to talk to the Working Group first for input and advice.

Cost-Benefit Analysis

Mr. Ceppos then discussed the cost-benefit analysis task, stating that after all the proposed studies had been conducted, the Working Group would need to assess what types of land use changes would be worth doing given the associated economic costs. He explained that although this task is called a cost-benefit analysis in the draft scope, it is not intended to be a large, expensive cost-benefits analysis. He added that this task is still very much under development and Jones & Stokes would involve an economist in further refining the scope for this task.

Post-Project Monitoring

Mr. Ceppos explained that post-project monitoring is required for all CALFED projects. Since the proposed project would involve continuing the Working Group process and conducting new research, the proposed monitoring would include an evaluation of the process and its applicability to similar projects and give recommendations for improving the process.

Mr. Ceppos then explained that CALFED's past proposal solicitation packages (PSPs) focused mainly on special-status fish species, but CALFED had been challenged to require more of a scientific basis for the projects it funds. As a result, the current PSP requires that proposals formulate scientific hypotheses that need to be tested. Therefore, the Working Group's proposal will need to be presented in terms of a hypothesis. Mr. Ceppos stated that the project team is suggesting that the hypothesis for the proposal be that ecological benefits could be gained from habitat enhancement activities in the Bypass but many unanswered issues need to be studied before it can be determined whether these activities are feasible and worthwhile from political, social, economic, and habitat perspectives.

Mr. Ceppos stated that Jones & Stokes and YBF have a lot of experience in preparing CALFED proposals and asked that the Working Group trust the project team's judgement in determining how best to present the proposal. He added that the entire CALFED proposal package is available at CALFED's website at www.calfed.ca.gov.

Mr. Ceppos asked if the Working Group wished to continue with preparation of the proposal to CALFED.

Mr. McCormack III asked if an Environmental Impact Report (EIR) would be required as part of the proposed project.

Mr. Ceppos replied that an EIR would not be required since no actual projects would be implemented. He explained that the proposal was not for actual implementation of projects, but to gather information required by the Working Group before any projects could be considered.

Mr. Thompson stated that the duck clubs were concerned with trails being constructed near the clubs, an increased amount of flooding as a result of habitat enhancement activities, and the creation of sanctuary areas that would draw ducks from the duck clubs' lands. He added that he has yet to see anything concrete result from the Working Group meetings and that he would like to see some concrete products as a result of the time the group has put into the meetings.

Mr. Ceppos responded that many issues had arisen during the Working Group meetings that the project team had not anticipated, including those issues that Mr. Thompson mentioned. He stated that discussions of these issues would be included in the Management Strategy report document. He added that the original intent was to only address economic issues that pertained to agriculture but he had learned from the Working Group that the Management Strategy report needs to also address issues pertaining to the duck clubs' economic viability.

Mr. Kassis stated that the CALFED proposal was intended to obtain funding to address these kinds of issues. He then asked if the Working Group meetings would continue if the proposal is funded and what would happen to the process if CALFED does not fund the proposal.

Mr. Ceppos responded that the Working Group meetings would indeed continue if the proposal is funded.

Ms. Kulakow explained that the current project has funding to continue the meetings until this summer and additional funding would be required to continue the process. She stated that YBF would like to continue the process but did not have enough funds to do so on its own.

Mr. Kassis asked if alternative sources of funding existed. Ms. Kulakow responded that CALFED was probably the best source at this point. She added that the U.S. Environmental Protection Agency could be a source but their funds were difficult to obtain. She stated that YBF does not have the budget to continue the process without additional funding.

Mr. Fulster noted that the current PSP includes language that addresses species other than fish, such as birds. He added that flooding in the Bypass is a disaster for upland game birds.

Mr. Ceppos stated that the proposal should include a discussion of this issue. He said that this PSP is less focused on fish than past PSPs have been, and it is the first PSP that mentions the importance of working with the agricultural community and the need to provide fair compensation to agricultural interests for activities intended to improve habitat.

Mr. Dudley stated that the USFWS would have to produce environmental compliance documents before the proposed Refuge project moves forward. He said that, although the Refuge is separate from CALFED or the Management Strategy project, he would like to have the fair compensation plan in place before the Refuge is implemented. He added that the proposal to CALFED would let the Working Group drive the process of determining fair compensation.

The group then asked what the downside would be if the process ceased.

Ms. Kulakow responded that the Management Strategy document would not move closer to implementation.

The group expressed concern that outside agencies would continue to make plans for the Bypass without consulting landowners.

Mr. Martinez gave the example of the West Sacramento levee project, stating that the project went forward without landowners in the Bypass being contacted. He hoped that if the Working Group had been established before that project began, the group would have been notified and asked for input.

Ms. Cherovsky stated that continuing the process was the Working Group's chance to be heard as an entity that should be involved in, or at least informed of, any plans for the Bypass. She added that the process would not be binding and members could leave the Working Group at any time.

Mr. Ceppos stated that he hoped that the group had seen, through the process so far, that CALFED is sincere in supporting the Working Group.

The group expressed general support of continuing the project and submitting the proposal to CALFED. Mr. Fulster made a formal motion to continue the proposal process. Mr. Kassis seconded the motion, and the group voted to approve it.

Mr. Ceppos proposed forming a subcommittee to review the draft proposal before the next Working Group meeting. He explained that the proposal is due to CALFED in mid-May so the review process could not wait until the next Working Group meeting.

The group decided that the subcommittee would include Regina Cherovsky, Chris Fulster, Bob Leonard, Rick Martinez, Dennis Murphy, Ron Tadlock, and Ray Thompson.

Proposed Draft Management Strategy Report Outline

Ms. McKee gave an overview of the proposed draft Management Strategy report outline. She explained that the report would include the issues and concerns that had been discussed at the Working Group meetings, and would present the land use changes to benefit wildlife that the Working Group would be willing to consider, the additional studies that would be required to evaluate potential projects, and the assurances required before the Working Group could support a project. The document is intended to be a guide for anyone proposing land use changes to benefit habitat in the Bypass and would be the starting point for the project currently being proposed by the Working Group to CALFED.

Ms. McKee added that the project team hoped to include a copy of the draft report outline with the CALFED proposal to show the progress that has been made on the current project. She asked if the group had any suggestions for changes to the outline or any concern with sending the outline with the proposal. The group had several suggested changes; these changes will be incorporated into the outline before it is included with the proposal (also see attached revised outline).

She then asked if there were any questions about the outline.

Mr. Fulster asked if this report would be an EIR for the proposed Refuge.

Ms. McKee responded that it would not be. She said that this document would be produced this summer, before the EIR for the proposed Refuge is written. She said that the Management Strategy report would convey the Working Group's opinions, which would hopefully help guide the EIR for the Refuge. She added that the EIR would go into more depth than the Management Strategy report.

Ms. McKee also stated that the Management Strategy report would be written on behalf of the Working Group, and would only be released if approved by the group.

Verification of Duck Club Locations and Names

Mr. Ceppos explained that there had been some question of exact land ownership at the duck club meeting held in March. He explained that attendees of the duck club meeting had raised issues of acreages and had expressed a desire to better understand how water moves between the clubs. He asked representatives of the duck clubs to mark the clubs' locations and extents on a map presented at today's meeting.

Mr. Leonard stated that the USFWS has a list of the duck clubs.

Conclusion

Ms. Kulakow stated that the next meeting would be held on May 12 , 2000, from 10:30 a.m. until 1 p.m. at the DFG Yolo Wildlife Area Headquarters. She added that subsequent meetings would be held on Thursday, June 8, 2000, and Thursday July 6, 2000.

The meeting was adjourned.