

**Meeting Summary
Yolo Bypass Working Group
Meeting 40**

**January 30, 2007
10:30 to 1:30.**

**Yolo Wildlife Area Headquarters
45211 County Road 32B, Davis**

IN ATTENDANCE: Robin Kulakow, Yolo Basin Foundation (Foundation)
Ann Brice, Foundation
Dave Ceppos, Center for Collaborative Policy (CCP)
Joel Buettner, Sacramento Yolo Mosquito and Vector Control District
(SYMVCD)
Jack DeWit, DeWit Farms
Robert Eddings, California Waterfowl Association (CWA)
Tasmin Eusuff, Department of Water Resources (DWR), Division of Planning
and Local Assistance (DPLA)
Eric Hong, DWR DPLA
Heidi Rooks, DWR Division of Environmental Services (DES)
Marianne Kirkland, DWR DES
Michael Perrone, DWR DES
Ted Sommer, DWR DES
Linda Fiack, Delta Protection Commission (via phone) (DPC)
Dave Feliz, DFG, Yolo Wildlife Area
Dick Goodell, Glide In Ranch
Dave Kohlhorst, Glide-In Ranch
Mike Hardesty, Reclamation District 2068
Ron Tadlock, Yolo Bypass Farmer / Landowner
John Legakis, Senator Outing
Julia McIver, Yolo County
Selby Mohr, Mound Farms
Robert Moore, California Bow Hunters, SAA
Bob Schneider, Tuleyome
Julie Simpson, Larry Walker Associates
Don Stevens, Glide-in Ranch
Dave Pratt
Ed Towne, Bull Sprig Outing Club
Michelle Ng, DWR Division of Flood Management (DFM)
Marc Hoshovsky, Davis Resident
Monique deBarruel, West Yost Associates
Erica Lindgren, UC Davis (UCD) Department of Wildlife, Fisheries, and
Conservation Biology (WFCB)
Andy Engilis, UDC WFCB
Judy Drexler, U.S. Geological Service (USGS)
Charlie Alpers, USGS
Mike Healy, DFG Region 2
James Navicky, DFG Region 2

Mary Menconi, DFG
Tom Schroyer, DFG
Mick Klasson, Consultant – SAFCA
Greg Green, Ducks Unlimited (DU)
Matt Kaminski, DU
Betsy Marchand, Yolo Basin Foundation
Dan Fua, State Reclamation Board
Christopher Huitt, DWR Floodway Protection Branch
Mitch Sears, City of Davis
Tony Lucchesi, Wildlands, Inc.
Mike Hall, Conaway Ranch

Introductory Comments

Dave Ceppos thanked DWR DPLA for funding this and future Working Group meetings. He reviewed the background of the Yolo County Integrated Regional Water Management Plan (IRWMP) and the development of “Implementation Partnerships” (of which the Yolo Bypass [Bypass] is one) He reviewed the basis for creating the Working Group’s IRWMP Subcommittee and the role WRA and DWR DPLA have had in requesting and guiding the creation. He described that the Subcommittee is an attempt to create a reasonably equitable and representative set of stakeholders that are affected by, and potentially implementers of, Bypass-specific projects. The first task of the Subcommittee is to create its operating rules. After that, the group’s primary task is to take the non-prioritized list of Bypass IRWMP projects and prioritize them. The Subcommittee will start with projects on the IRWMP list first and will also seek to identify any new projects.

Mr. Ceppos reminded everyone that all parties in the room and involved in Bypass topics has a job to do. Everyone has their interests to address and none are right or wrong.

Lastly, Mr. Ceppos asked for any revisions to the summary from Working Group meeting 39. There were no revisions and the summary was adopted as final.

Review and Discussion of Currently Proposed Yolo Bypass IRWMP Projects

Mr. Ceppos explained that the goal of this discussion is for each project currently proposed in the IRWMP to be presented to the general public and to allow for thoughtful discussion that can tease out key issues about each project and to allow the Subcommittee to be informed by public comment prior to them starting their prioritization process. He explained that in recent weeks, it had become clear that several of the projects on the IRWMP list did not have an obvious proponent and it had been difficult to determine how some of the projects had been added to the list. Mr. Ceppos and Robin Kulakow spent the past few weeks contacting prospective project advocates/ implementers (particularly regarding recreation projects) to encourage their participation today. Lastly, Mr. Ceppos explained that each presenter has been asked to address the following topics in their presentations:

- Their project,
- Expected beneficiaries of the project,
- Expected constraints and impacts the project might pose, and
- Next steps.

Develop Best Management Practices for the Yolo Bypass regarding production and transport of elemental and methyl mercury – Charlie Alpers, USGS

Charlie Alpers described the project as an effort to develop best management practices (BMP) for methylmercury (MeHg) conditions in the Bypass. He described that one project has already been funded regarding MeHg cycling and export from agricultural and natural wetlands in the Yolo Bypass, particularly the Yolo Wildlife Area. Ann Brice announced a focused workshop for this project to be sponsored by the Foundation and Working Group on February 8 at the Wildlife Area headquarters. He described mercury sources in the upper watersheds and specifically discussed mining history (particularly of Cache Creek and the Sacramento River), and other natural sources. He described that the Bypass is hot spot in Delta and explained that future regulatory action by the Central Valley Regional Water Quality Control Board (Board) is likely. Two proposals have been prepared on this topic and one - decomposition in rice, has been funded thus far. He described this project as an assessment of MeHg production/export from flooded rice fields. The goal is to compare non agricultural wetlands to different rice field types (e.g. wild rice, white rice) and to different land uses and management techniques (e.g. fallowing, sulphur application, discing). The goal is to look at MeHg accumulation in plants and to assess water quality leaving fields, looking specifically at the level of organic carbon in the cycling of Hg.

Project Status: one project funded. Final project due for completion in 12/09

Project Ownership: DFG, USGS, the Foundation, the University of Washington's Battell Marine Sciences, Dewit Farms,

Proposed project is in formative stage – a 3 year rotation of rice types of interest.

Project beneficiaries: fish consumers (human and wildlife), wetland managers, farmers,

Possible outcomes: The results will help us understand where and if future wetlands should go in the Bypass and south Delta. Information will be used develop BMPs by the Board. Future regulation will likely have an impact on farming and wetland practices and it will take several years of study to fully understand what the potential impacts really are so regulation is appropriate and warranted. The proposal is for first year funding only.

Ms. Marchand asked if the study will include smaller streams that flow into Willow Slough, Cache Creek, the Cache Creek Settling Basin, and similar tributaries. Dr. Alpers stated there is need for more studies but this proposal does not cover those areas.

Selby Mohr asked if the project is required by regulators, will the State fund the project and what will happen if they don't? Heidi Rooks reiterated that question and added that DWR has raised the same issue to the Board but that they haven't been given an answer.

Two Dimensional Hydraulic Model - US Army Corps of Engineers (Corps)

Ms. Kulakow discussed this project. The Model has been in production for some time but several staff members at the Corps have been reassigned and it is unclear what the status is. The Foundation had sponsored a technical advisory committee that had met several times to assess the Corp's work and make recommendations about the applicability of the model. The last report from the Corps was that they were completing calibration testing of the model and that they were proceeding with creating a user friendly manual to help future users complete the model. An outlying issue that has always existed for the Model is the lack of funding for maintenance and upkeep of it once completed (re; changes in topography, vegetation cover, etc.) Dan Fua of the Reclamation Board raised several

questions and concerns about the Model. Ms. Kulakow and Mr. Ceppos reminded Mr. Fua that the Model is a joint project of the Corps and Reclamation Board and that Mr. Fua might not be aware of all the history within his own organization about their role and responsibilities on this topic. It was suggested that Ms. Kulakow and Mr. Fua meet to further discuss this project offline. Mr. Fua provided his phone number (916-574-0609) to set up said discussion.

Yolo Bypass Fisheries Restoration Projects - Heidi Rooks, DWR Division of Ecological Services

Ms. Rooks introduced the proposed fisheries projects in the Bypass. She described the role of the Yolo Bypass Interagency Working Group (IWG), a collection of State and Federal agency representatives (DWR, DFG, National Marine Fisheries Service, and US Fish and Wildlife Service) working to create a mutually shared and integrated set of project ideas for the Bypass. She referred to a presentation by James Navicky of DFG that was provided at a previous Working Group meeting, as being a good basis for background on their goals. In general, she described the IWG's five point proposal to improve aquatic conditions for fish passage. The proposal is sequential in nature, extending south to north from: 1) Improved habitat conditions along lower Putah Creek; 2) Improved facilities at Lisbon Weir; 3) Multispecies aquatic habitat throughout the Bypass; 4) Improved fish passage along the Tule Canal; and 4) Improved fish passage at the Fremont Weir.

Project Status: Ms. Rooks described that they are looking for willing landowners to pursue the multispecies habitat opportunities and that all their goals are only feasible and will only be pursued with willing participants, public or private. She provided some further descriptions of some of the goals. Initial studies of the Tule Canal indicate there are several locations where there is interrupted continuity of the Tule Canal that impacts fish passage up the Bypass during low flow conditions. Removal of these barriers would improve these conditions. Regarding the IWG ideas for the Fremont Weir, the current such passage structure at the weir is sized and operated for salmonids not for sturgeon. It is very small and old. The IWG's ideas would be to improve this structure in a way that would maintain and not increase the flood carrying capacity of the Weir, and that would have minimal disturbance to other downstream land uses. There would be no impact to flood timing and frequency.

Project Beneficiaries: There are potential benefits for native fish that are already in bypass. They come in but can't get out. Agricultural users would benefit from improvements of the Lisbon Weir that could lead to improved reliability in irrigation flows, and improved flood flows down the Tule Canal. Educational and recreational users would also benefit as more information is learned and shared about fish passage through the Bypass.

Potential Impacts: Multispecies projects might create flooding on shallow lands that if not managed, could cause nuisance flooding for adjacent landowners. There could be water quality impacts if not managed appropriately. Future projects will need to include infrastructure and management practices when being designed to ensure that existing habitats are not impacted and that vector control is not made more difficult.

Conceptual Projects at this time: There is significant support from member agencies of the IWG. Current funding for DWR runs out in June 2007 and there is a need for future funding. A proposal has been made to DFG (implementing agency for the CALFED Ecosystem Restoration Program) for a 3 year window to implement projects with willing landowners. One to two projects could be constructed within in 2 years. The IWG understands that Bypass stakeholders will want to know if flooding will be affected. The primary goal of the IWG is to create no negative impact to landowners and users and to not create extra nuisance flows. The goal is to work with land users to prevent

impacts. Projects will be designed so there won't be unnecessary burdens to land owners such as attempts to avoid the need for fish screening on agricultural diversions.

Don Stevens asked what will happen when endangered fish issues do come up. For example, what will happen when more salmon or sturgeon are trapped in the Bypass. Ms. Rooks stated that special status fish are impacted already and these projects, particularly the Fremont Weir idea would help get them out. Right now they are dying after key flow events. Ms. Rooks reminded the group that the projects are in sequential order and that the Fremont Weir project is not the first priority project and rather, it is the last priority in the list of five opportunities. There are barriers to fish getting there.

Yolo Bypass Recreational Trail Projects – Multiple Speakers

Ms. Kulakow described that she has held regular contact with the City of West Sacramento regarding eastside Bypass access and levee trail opportunities and that at this time, the City has limited resources to pursue this idea and limited interest to do so.

Dave Feliz expressed mixed feelings about how Bypass items in the IRWMP relate to the work DFG is independently doing on their Wildlife Area. He described how there are numerous funding sources already at their availability and related partners and that DFG is not relying on the IRWMP process to get all of funding. Dig's goals are improved habitats, increase agricultural production on some lands, devising means to keep agriculture in long term plan for the Wildlife Area, increased bird populations on the southern parts of the Wildlife Area, etc. He reiterated comments by Dr. Alpers that future restoration goals could be impacted by Hg constraints and that understanding these impacts is a necessary first step to continue the goals of the Wildlife Area while not exacerbating water quality and related conditions.

Mr. Feliz discussed mixed use opportunities on the Wildlife Area. He stated a goal to have comprehensive signage for usage and interpretation throughout the Wildlife Area to ensure that use conflicts are avoided. (e.g. hunting and birdwatching).

Mr. Feliz described the public use element of the pending Wildlife Area Land Management Plan. He described how the plan raises the enhanced opportunities for fishing access, and expanded auto tour route, expansion of hunting facilities, and other efforts to generally get more people out and enjoying the Wildlife Area. He described that there are goals for expanded recreational trails / corridors on the Wildlife Area (e.g. at grade multi-use trail parallel with I-80) and that DFG would cooperate with, but will not lead such efforts on their own.

Mark Hoshovsky, a Davis resident representing bike commuters between Davis and the City of West Sacramento discussed the proposed at-grade trail idea. He stated that a road bed exists from a precious facility and that no new bridges would be required for this idea. He stated an expected benefits for commuters and recreationalists from throughout the region to have an at-grade crossing option as a means to better enjoy the passage from east and west of the Bypass. Mr. Hoshovsky described some challenged that would have to be addressed such as trail maintenance and security. He does not believe that such a trail would be an impediment to flood flows.

Ms. Marchand asked about relative security issues and wondered why a similar idea didn't work in the 1970s. Mr. Hoshovsky stated that his understanding is that there was a problem with the previous asphalt trail that deteriorated over time and that would need to be remedied in a future design.

Mr. Mohr asked if DFG would become the owner of such a trail facility. Mr. Feliz did not have an answer save to reiterate that they would cooperate with but not lead the development of such a facility.

Tony Lucchesi raised a concern about vandalism and related impacts every time public access is provided in remote areas. He described continual episodes of dumping and garbage, drug use and sales activity, and an overall bad element that oftentimes congregates in such locations. Mr. Feliz said that locking of Area gates and increased operation and maintenance have helped this situation somewhat and decreased vandalism but have not ended it entirely.

Michelle Ng stated that in general, DWR is increasingly opposed to public access to levees due to ongoing maintenance, security concerns, and conflicts with flood management activities and public safety. Ms. Marchand reiterated these concerns and stated that access to levees has become a homeland security issue (access to waterworks), that this issue has been fought several times in the past, and that it would be unproductive to have this become a battle of stakeholders again. She stated that it is time for agencies to listen to affected landowners and accommodate their concerns. Mr. Hardesty similarly raised his concerns about public access to levees. He described how the Corps' operating manuals say access must be controlled. He described how many of the levees are owned by private landowners and that DWR has maintenance easements only.

Mr. Schneider countered these comments and stated it is important to recognize that there is a large demand for trail and levee trail-type recreation. He further stated that the Bypass is situated next to a large urban area that has these social needs and that ignoring them will only create accidental conflicts like those being described. He proposed that a better solution is to proactively plan for recreational opportunities that accommodate social needs and protect affected landowners.

Linda Fiack described how the Delta Trails bill was recently signed by the Governor and that the language of the bill is on the DPC website. DPC conducted public meetings to have similar discussions as those taking place today. She encouraged people to look at bullet points from meetings and how similar concerns were addressed. Ms. Fiack described how the Delta Trail is intended to start where the Bay Trail ends and that it will be a trail network, rather than a loop. DPC will be forming technical and stakeholder committees to address this topic further and this effort is being coordinated with the 5 Delta counties. She stated that DWR has indicated support to try to find ways of making a trail feasible and that the network must have amenities for all users. She explained the collective recognition of the need for emergency support aspects and law enforcement.

Related Discussions

Mr. Ceppos described the Bypass IRWMP Subcommittee history and proposed structure. Bob Schneider described his concerns on behalf of Tuleyome about the limited public noticing conducted for these meetings and about the public process in general for Yolo Working Group meetings. He expressed concern that the general public is not adequately informed that the meetings are taking place and the items being discussed. He proposed that a more formal public meeting be held to discuss the selection process for the Subcommittee and that there needs to be more focused outreach for environmental justice stakeholders. Mr. Ceppos suggested that the Working Group planning tasks include getting meeting agendas to the WRA for posting on the WRA website.

New Project Ideas

A member of the public suggested adding long term monitoring / research of Bypass wetlands to assess changing conditions and impacts

Flood Conveyance and Protection – Mike Hardesty, RD 2068

Mr. Hardesty recognized there was no mention of flood control projects in the IRWMP list and that there must be a more significant recognition of flood control. He described the flood management beneficiaries as everyone from Redding downstream that relies on the Bypass to help control flood flows. He described how the Bypass doesn't operate the way it was originally meant to. It is over subscribed now and that there should be three goals to be addressed regarding this topic: 1) restore design capacity of the Bypass to meeting criteria established in 1957, 2) the 2-D model should be completed and given long-range funding to "give it some shelf life", and 3) a statement of policy in the IRWMP, acknowledging that the Bypass is a federal flood control facility

Mr. Hardesty described some specific project ideas. He expressed a desire to fix affected portions of Liberty Island and to remove east-west levees to improve flood flows down the Bypass. He also suggested an opportunity to create multi-benefit levees that provide flood protection and habitat and to minimize the historic battle of "it's our levee vs. your habitat". He described unutilized opportunities for working together and a goal that the Bypass could be a good place to try out new ideas.

Mr. Schneider asked Mr. Hardesty is he is including the flood system of Cache Creek in these goals. Mr. Hardesty stated that all flood improvements upstream will have an impact on flood capacity of the Bypass and that we need to "look at have's and have nots" and ensure that re-directed affects are fully assessed and mitigated.

Bypass Wildlife Monitoring - Andy Engilis, UCD

Andy Engilis, curator of the UCD Wildlife Museum suggested a comprehensive evaluation of biodiversity of Bypass lands. He described how some work has already been done but how such an assessment needs cooperation of landowners. Mr. Engilis described how UCD researchers have concentrated on riparian systems so far, especially in upper Putah Creek. He described his goal of this effort as being monitoring not basic research and how such information can be very valuable to landowners so that they proactively understand what is one their property, what they are responsible for, and what options they can take to protect species and themselves through proactive pursuit of regulatory options (i.e. Safe Harbor Agreements, etc). He described that UCD has been working with Los Rios Farms, DFG, DWR, and other landowners, to asses and provide annual reports to landowners. He said they are wrapping up baseline research on the Fremont weir, Tule Canal, Putah Sink Creeks, and Putah Creek. He committed to provide the Foundation with a written summary of the research projects.