

**DRAFT Meeting Summary
Yolo Bypass Working Group
Meeting 42**

**December 6, 2007
10:30 to 1:30.**

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

IN ATTENDANCE: Robin Kulakow, Yolo Basin Foundation (Foundation)
Dave Feliz, Department of Fish and Game (DFG)
Sam Magill, Center for Collaborative Policy (CCP)
Don Stevens, Glide In Ranch
Dick Goodell, Glide in Ranch
Zoltan Matica, Department of Water Resources (DWR)
Selby Mohr, Mound Farms
Yemi Okupe, DWR
Marika Herold, DWR
Robert Eddings, California Waterfowl Association (CWA)
Linda Fiack, Delta Protection Commission (DPC)
Kimberly Bellows, Yolo County Supervisor Helen Thomson's Office
Steve Macaulay, California Urban Water Agencies (CUWA)
Bob Schneider, Tuleyome
Mick Klasson, Sacramento Area Flood Control Agency (SAFCA)
Jeanett Wrysinski, Yolo County Resource Conservation District (Yolo RCD)
Stephen McCord, Larry Walker Associates
Tom Schene, Glide Tule
John Curry, Dixon Resource Conservation District (Dixon RCD)
Robert Moore, California Bowman Hunters/ State Archery Association
Julia McIver, Yolo County
Peter Perrine, Wildlife Conservation Board
John Legakis, Senator Outing
Marianne Kirkland, DWR
Mike Hardesty, Reclamation District (RD) 2068
Ken Trott, California Department of Food and Agriculture (CDFA)
Butch Hodgkins, Reclamation Board
Rick Martinez, Triad Farms
Mark Kearney, landowner
Chris Fulster Jr., Glide In Ranch
Betsy Marchand, Yolo Basin Foundation
John Brennan, Knaggs Farming
Tony Lucchesi, Wildlands Inc.
Regina Cherovsky, RD 2035
Tovey Giezentanner, Conaway Ranch
Ed Towne, Bull Sprig Outing
John McNerney, City of Davis

1. Action Items

Tovey Giezentanner committed to providing the Conaway Ranch Floodway Project study to a number of participants, including Betsy Marchand, Robin Kulakow, and Sam Magill.

2. Introductory Comments

Robin Kulakow opened the meeting and noted that Dave Ceppos, project facilitator from CCP, was unable to attend the meeting. She then invited group members to introduce themselves.

3. Review of previous action items, and adoption of previous meeting minutes as final

The meeting summary from June 5, 2007 was reviewed and adopted. Bob Schneider asked for clarification and Robin confirmed that the Wildlands Inc. proposal to acquire conservation easements on Liberty Island failed. Wildlands will submit a similar proposal in December.

4. Conaway Ranch Conservation Planning Process

Tovey Giezentanner and Regina Cherovsky delivered a presentation on the Conaway Ranch (Ranch) Conservation Process, beginning with a brief history of recent Ranch issues. Regina stated that they spent the last year putting together a long term conservation plan. Tovey has been affiliated since the ownership change in 2005 and is currently working with SAFCA and other resource-related agencies to create a conservation plan. Currently, they are considering a proposal to expand conservation easements on the Ranch for agricultural, flood, and wildlife preservation.

Tovey stated that the planning process is focused on creating additional flood conveyance for the Sacramento River and obtaining new easements. Portions of the Ranch in the Yolo Bypass and the Cache Creek Settling Basin are already covered by Williamson Act easements. The Conaway Ranch Preservation Group (Preservation Group) is currently pursuing easement possibilities that will be flexible enough to preserve wildlife values on the Ranch while allowing for future agricultural and resource management opportunities. However, the amount of public money available for agriculture easement purchases is limited at this time, and Tovey stated that standard habitat easements are not flexible enough to allow for resource management and expanded agriculture. The Preservation Group is working to complete a conservation easement strategy by the close of the year.

A key component of the easement strategy will include increased land for flood conveyance. Tovey said that the Preservation Group has completed a study to construct a new weir at the north end of the Ranch with drainage south through the Toe Drain. The project would be designed to accommodate excess floodwater from the Sacramento River during the largest flooding events 50,000 acre feet. For the project to proceed, a span of railroad track north of I-5 would have to be re-built or re-routed. Don Stevens asked if natural features in the Ranch would restrain flood flows. Tovey responded that a combination of natural elevations, previously constructed berms, and a new levee would keep flood flows in place.

Don Stevens, Chris Fulster, and others asked if rerouting floodwaters could result in longer flood events in the Bypass. Tovey responded that while the duration of events could be extended, it would not increase the actual flow levels in the Bypass. Several people raised a concern that this could negatively impact duck clubs, farmers and other landowners needing to access their lands as soon as

possible after a flood. Tovey described that before the project can move forward, feasibility studies and all necessary environmental permitting will have to take place and that this concern would be noted and studied. While this project is not intended to solve all of Sacramento's flood issues, Tovey commented that it will provide critical relief during a peak flood event. Moreover, given the singular ownership of the land, the project would be relatively easy to implement.

Don also asked which years were used to study the flood capabilities of the proposed project. Tovey responded that the 1997 event was the model year, during which the Sacramento Weir was not even triggered. The proposed project would only divert flood flows during events larger than this. Don and others commented that the Preservation Group should also study the floods of 1986, 2005, and the potential effect of increased flood flows through the Lisbon Weir. Tovey stated that the Preservation Group and state flood agencies are in the process of researching everything right now.

Selby Mohr asked if the new flood control project was being designed so that developments on the east side of the river could be expanded. Tovey commented that right now, there is no tie between the flood project on the Ranch and development plans across the river.

Tony Luchessi asked if there would be any impacts to other lands west of the river including Cache Creek. Tovey commented that the project is still in the study phase, and wasn't sure at this point. Regina remarked that ongoing discussions over the last six years have looked at the effect of Sacramento flood improvements on Yolo County. These conversations are ongoing and taking Yolo's concerns into account.

Chris commented that the project needs to focus on what happens at the bottom of the Bypass during a flood event. He suggested that widening the confluence of the Bypass and the Sacramento River could be more beneficial than creating an alternative flood conveyance through Conaway. Tovey responded that a number of alternatives would be looked at in the feasibility study.

Mike Hardesty suggested that the State should focus on fixing current flood operations in the Bypass before creating a new system through private property. He also stated that the Preservation Group could encounter some resistance from landowners if flood operations at the south end of the Bypass are not improved as well.

Finally, Tovey committed to providing Betsy Marchand, Robin Kulakow, and Sam Magill with copies of the Conaway Ranch Floodway Project study (**see Action Item #1**).

5. Update and Discussion of Management Efforts at the Yolo Bypass Wildlife Area

Dave Feliz opened the discussion with an update on mourning dove banding activities in the Yolo Bypass Wildlife Area (Wildlife Area). Recently banded doves have been found as far south as Guadalajara, Mexico and various Southern California locations. This evidence seems to suggest that the doves have a very extensive range and migrate to numerous locations.

He then commented that the public auto tour route would be expanded during 2008 in conjunction with new restoration projects and some rice farming expansion. Rice fields in the Wildlife Area switch between white and wild rice, and are allowed to lay fallow every third year.

Hunting areas were expanded in 2007 to include new parking lots south of Putah Creek for a total of six hunting-specific lots. An additional 400 acres of hunting marsh were also added for junior hunters. Throughout 2007, 2,372 hunters used the Wildlife Area and brought down 2,941 birds for an

average of 1.24 birds per hunter. At any one time, 50 free-roam and 64 hunters using four-seater blinds were allowed in the area. Hunters using blinds typically averaged slightly better than free-roaming hunters. The vast majority of birds shot in the Wildlife Area were ducks, but geese and pheasant were also hunted.

Chris Fulster asked how the current pheasant numbers compare to past years and whether there have been any predators such as raccoons and skunks within the Wildlife Area. Far fewer pheasants were killed this year: in 2004, hunters shot over 600 birds versus less than 200 this year. Dave did know of any major predation in the area.

Dave then discussed problems with hunting violations within the Wildlife Area. In 2007, there were a few poaching issues and some birds such as grebes and swans shot illegally. The largest problem for the Wildlife Area, however, was (and still is) speeding violations by hunters on surface roads.

Dave then discussed the Wildlife Area Management Plan (Plan). The Plan is expected to be completed in early 2008. The Foundation website has the most recent version of the draft and can be found at <http://www.yolobasin.org/management.cfm>. He closed by saying that 2008 should be a very productive year for the Wildlife Area. In addition to more hunting opportunities, restoration projects have been planned for most of the unused acreage.

Robin Kulakow also gave a brief update on the Foundation's recent activities. Over 1,000 people participated in the Foundation's "Bat Talk and Walk" to see the daily bats fly out. Public field trips are available through the Yolo Basin Foundation, with a new self-guided auto tour route planned for opening later in December. Finally, the Foundation's school program has been a resounding success: in the near term, the program's schedule is completely full except for four days. The Foundation is also providing bus service to transport disadvantaged youth to/from the Wildlife Area.

6. Discussion of the Delta Vision Process

Linda Fiack led the group in an overview and discussion of the Delta Vision process. She stated that six of DPC's commissioners have been appointed to the Delta Vision Stakeholder Coordination Group (SCG).

In June of 2006, Governor Schwarzenegger released Executive Order S-17-06, mandating the creation of the Delta Vision Blue Ribbon Task Force (Task Force). The Task Force is a six person panel of "objective" experts in flood safety, public policy, environmental issues, etc. convened to create a draft vision for the future of the Delta. While the Task Force is charged with delivering independent recommendations to the Governor, it is informed by the SCG and the Delta Vision Committee (Committee), a group comprised of State cabinet secretaries and the president of the California Public Utilities Commission.

The SCG came up with four scenarios for the future management of the Delta and was able to narrow them down to a single, unified vision. The Task Force has adopted most of this plan into the proposed Vision and is in the process of submitting it to the Committee for final review before it goes to the Governor. After a Vision is approved by the Governor, the Task Force will reconvene to formulate a strategic implementation plan.

Two major sections of the Task Force's Vision are the idea of a "dual conveyance" system (that is, using both through-Delta water transport and a smaller version of the Peripheral Canal) and the need

to revise Delta governance and create a single entity with authority throughout the Delta. Currently, there are over 200 entities with governance authority within the Delta. DPC, the California Coastal Commission, and the Tahoe Regional Planning Association have all been identified as potential models for the new body.

Linda stressed that local involvement in Delta Vision is very important and urged Working Group participants to comment on the draft vision. Comments can be sent directly to the Task Force by email at dv_context@calwater.ca.gov or by mail to:

Delta Vision
650 Capitol Mall
Sacramento, CA 95814

The Delta Vision website also has copies of all comments submitted on the Vision thus far. This information can be accessed at <http://www.deltavision.ca.gov/DeltaVisionCorrespondence.shtml>.

In addition to individual comments, Linda stated that Solano and Yolo Counties are expressing increased interest in becoming major stakeholders in the process. Representatives from both counties already take part in the SCG. The final SCG meeting of 2007 will be held on December 17th at the Holiday Inn in Downtown Sacramento.

Steve Macaulay commented that he believes this is not another effort like CALFED. Task Force Chairman Phil Isenberg has repeatedly mentioned the dysfunction of all agencies involved in managing the Delta; a problem that must be remedied before the Vision can be implemented. The strategic plan will address ecological and water supply concerns as coequal interests, and emphasize that the Delta is an area of statewide concern. Furthermore, as Linda pointed out, the final Delta Vision may also suggest a statewide moratorium on any new water allocations. None of the recommendations in the Vision or the strategic plan are expected to be single issues, but rather part of a “package deal.”

Ken Trott stated that there is a series of issue specific “context memos,” including one on Delta agriculture. He expressed some concern that the agriculture community has not addressed subsidence thoroughly enough and stated that the final Delta Vision strategic plan must include the agricultural perspective. Linda reiterated this point and stated that the Water Education Foundation has put on several workshops on Delta Vision, and agricultural participation has been minimal.

One of the key differences between Delta Vision and other groups in the past is that it specifically recommends “letting go” of some islands (that is, allow the levees to degrade and focus on other, higher priority areas). Some of these are in Yolo and Solano Counties, presumably in the Bypass. Mike Hardesty suggested that the Lower Yolo Bypass could be one area where major tidal restoration takes place or levees are allowed to degrade for increased habitat. Several Working Group members expressed concern over this idea, noting that other lands could be compromised by simply allowing levees to be destroyed. John McNerney suggested that this type of action would require a change of the Constitution and the California Environmental Quality Act (CEQA).

Dave Feliz asked how Delta Vision will interface with other existing plans and expressed concern that the Yolo Wildlife Area Management Plan could be overshadowed. Linda responded that this concern is one reason that everyone should comment on the draft vision and take part in the strategic planning process.

To keep the Working Group updated on Delta Vision progress, Robin Kulakow suggested that the IRWMP Yolo Bypass Subcommittee take up the issue at their next meeting. Linda also suggested that private citizens should call SCG members directly. A full list of the stakeholders is available online at <http://www.deltavision.ca.gov/StakeholderMembers.shtml>.

7. Update and Discussion about the Delta Emergency Response and Preparedness Planning Process

Linda Fiack delivered an update on DPC efforts to put together a Delta-wide emergency planning and response initiative. Delta Vision identified emergency response in the Delta as one of several critical, short term actions that should take place immediately. While all five Delta counties and several state agencies have emergency response plans in place, most of them focus on flood fighting and technical response capabilities. The DPC plan focuses more on the societal aspects of disaster, including where to shelter people, taking care of pets/livestock, etc.

Last year, DPC sponsored a summit of the five Delta county emergency response managers. An agreement was signed to create a Delta-wide (instead of jurisdictional) plan. DPC is currently working with several entities to address societal issues in a Delta-wide plan. Mike Hardesty raised the concern that this effort might not pay enough attention to local reclamation districts and other on-the-ground entities. He then recounted an instance in 1997 when locals were ordered to evacuate a high ground area by county officials; had they consulted local reclamation districts, they would have found out that this was actually one of the safest places to be during a flood. Linda assured the group that this is a good example of what the new plan will address. It will be informed by a wide variety of stakeholders, including local, county, and state organizations.

8. Lower Yolo Bypass Project Update

Robin Kulakow and Linda Fiack delivered an update on the Lower Yolo Bypass Project, stating that the contract to proceed will be in place in early 2008. Robin then discussed the assessment report completed by CCP in 2005. The report gives an overview of the project objectives, identifies key stakeholder concerns, and describes the desired outcome of the project. The entire assessment report can be read online at [http://www.csus.edu/ccp/publications/LYB_Feasibility_Assessment_Report_Final_For_Web_\(8-24-05\).pdf](http://www.csus.edu/ccp/publications/LYB_Feasibility_Assessment_Report_Final_For_Web_(8-24-05).pdf)

Don Stevens asked what the northern boundary of the project area will be. The assessment report proposes the Lower Yolo Bypass project area as the area (and land owners) immediately south of the Wildlife Area downstream to the City of Rio Vista and the east and west lands and land owners of adjacent RDs (including Prospect and Ryer Islands, Egbert Tract, and potentially Hastings and Little Hastings Tracts).

Robin then invited meeting attendees to speak with Sam Magill if they were interested in joining the Lower Yolo Bypass stakeholder group after the meeting.

Linda Fiack described the funding mechanism for the project. DFG is providing funding through their Proposition 84 funds. DPC and the Foundation are co-sponsors of the effort to provide a “cross-jurisdictional” face.

Betsy Marchand expressed her support, and stated that the Yolo Basin Foundation board of directors would also like to support the project.

9. Yolo Bypass Integrated Regional Water Management Plan Update

Robin Kulakow explained that the Yolo County Integrated Regional Water Management Plan (IRWMP) was approved by the Water Resources Association of Yolo County in July. A technical committee has met monthly to design the IRWMP and identify state funds that could be used. The committee is working on finishing some projects funded by Proposition 50 and trying to secure additional grant money from Proposition 84.

In addition to the technical committee, the Yolo Basin Foundation manages a Bypass Working Group IRWMP subcommittee. The Subcommittee will have its last meeting of 2007 on Tuesday, December 11th from 4:00 to 6:00 pm. In addition to the normal IRWMP discussion, Robin suggested that the Subcommittee should also discuss how this plan could relate to and inform the Delta Vision process. If any decision is reached, it will be brought back to the full Working Group for approval. All regular Working Group members are invited to attend.

10. Closing Discussion and Final Remarks

Bob Schneider commented that DWR IRWMP guidelines for Proposition 84 funding could change in the near term, and raised the concern that this could set the Bypass IRWMP effort back.

Selby Mohr asked if Liberty Island has been purchased from the Trust for Public Land. Tony Lucchesi was unaware of a purchase by Wildlands Inc. at this time. However, a proposal will be submitted later in December to create a conservation easement on the island.

Linda Fiack stated that the US Bureau of Reclamation is in the process of selling Prospect Island. The Island will first be offered to federal agencies and then to state agencies. If no buyer is found, it will be put on the open market. Linda said that the recent fish kill on Prospect could delay the sale.

Finally, Selby Mohr expressed a desire to have representatives from Wildlands Inc. attend the next Working Group meeting to discuss their potential purchase of Liberty Island.

11. Questions Submitted for Discussion at the Next Working Group Meeting

Dave Feliz submitted several questions on the Conaway Ranch flood project to be discussed at the next Working Group meeting. Specifically, he asked:

- Which fish species will benefit from the floodplain inundation?
- Who has shown interest in judging each of the proposed projects?
- What are the predicted water levels at Lisbon during the outflow period when water west of the levee is released?
- What is the flow rate into the storage area? How does this affect water surface elevation in the Yolo Bypass?