

**DRAFT Meeting Summary
Yolo Bypass Working Group
Meeting 45**

**February 4, 2010
2:00 – 4:00 PM**

**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)
Merritt Rice, Department of Water Resources (DWR)
Selby Mohr, Mound Farms
Paul Phillips, California Waterfowl Association (CWA)
Bob Schneider, Tuleyome
Jeanette Wrysinski, Yolo County Resource Conservation District (Yolo RCD)
John Currey, Dixon Resource Conservation District (Dixon RCD)
Jim Provenza, Board of Supervisors, Yolo County
Warren Westrup, Yolo County
Peter Perrine, Wildlife Conservation Board
Mike Hardesty, Reclamation District (RD) 2068
Tovey Giezentanner, Conaway Ranch
James Navicky, Department of Fish and Game (DFG)
Jeff Stoddard, Department of Fish and Game (DFG)
Ed Towne, Bull Spring Outing
Dennis Kilkenny, Dawsons
Marty Schell, Sacramento-Yolo Mosquito and Vector Control District
Phil Pogledich, Yolo County
Tanis Toland, United States Corps of Army Engineers (USACE)
David Katz, David Katz & Associates
Donna Gentile, Water Resources Association of Yolo County (WRA)
Ron Tadlock, Farmer
Mick Klasson, Self
Dan Engstrom, Swanston Property
Ed Burns, National Resource Conservation Service (NRCS)
Bruce Boyd, City of Davis
Jacques DeBra, City of Davis Public Works
Melanie Truan, UC Davis, Wildlife, Fish and Conservation Biology
Janis Cooke, Central Valley Regional Water Quality Control Board
Rebecca Nieto, Chief of Staff, Office of Assembly Member Mariko Yamada
Karla Nemeth, California Resources Agency, Bay Delta Conservation Plan
Tim O'Halloran, Yolo Flood Control & Water Conservation District

1. Introductory Comments – Robin Kulakow, YBF

Robin Kulakow opened the 45th meeting of the Yolo Bypass Working Group with a few welcoming comments on behalf of Yolo Basin Foundation, which, in the absence of a contract with the Center for Collaborative Policy (CCP), was facilitating the meeting. She recognized the Water Resources Association of Yolo County (WRA) for funding this meeting. Kulakow introduced YBF associates Ann Brice and Margaret Kralovec, who would be serving as the speakers' timekeeper and meeting recorder, respectively. She noted a minor agenda change, requested attendees to sign in, and then asked participants to introduce themselves.

Kulakow reminded attendees that the purpose of the meeting was to update stakeholders on the numerous and varied efforts underway that directly affect the Yolo Bypass. The ambitious agenda, with 12 speakers making 10 minute presentations, reflected the attempt to present highlights of many of the current activities of different entities. More in-depth treatment of efforts of particular interest to the Working Group, or the integration of several efforts could constitute the agenda for future Working Group meetings. In the interest of keeping to the established meeting timeframe, she encouraged participants to keep their presentations short, and to ask questions of speakers only if time permitted or to hold questions until after the meeting.

2. Yolo Bypass Working Group Evolution and Future – Dave Feliz, DFG

Dave Feliz, DFG Manager of the Yolo Bypass Wildlife Area (YBWA), provided a brief history of the Wildlife Area, whose conceptual plan was developed in 1990, and of the Yolo Bypass Working Group, initiated by Yolo Basin Foundation in 1998 under a CalFed Ecosystem Grant. The Working Group was formed to ensure that diverse Yolo Bypass public and private stakeholders could actively participate in decision-making processes regarding the Yolo Bypass, which is principally managed as a flood control waterway in the lower Sacramento Valley, but which also contains significant agricultural, recreational, and environmental resources. Feliz reviewed the contributions of the Working Group to the development of the Yolo Bypass Management Strategy (2000), the development of the YBWA Land Management Plan (2006), the work of the Water Resource Association of Yolo County (WRA) which produced the Integrated Regional Water Management Plan (2007), containing the Yolo Bypass Integrated Project whose stakeholder group is the Working Group's IRWMP subcommittee. He also noted the 2000 Governor's Environment/Economy Leadership Award to Yolo Basin Foundation in recognition for the Yolo Bypass Working Group's contributions to environmental restoration and rehabilitation. Feliz also mentioned ongoing stakeholder involvement in the Lower Yolo Bypass Planning Forum which addresses issues specific to that area.

3. Yolo Bypass Wildlife Area – Dave Feliz, DFG

Yolo Bypass Wildlife Area Manager Feliz gave a brief history and status report on the YBWA. He noted that the 16,000-acre Wildlife Area is part of the Sacramento-San Joaquin Delta, and contains one of the largest wetlands and associated habitat restoration areas (over 8,000 acres restored) in the nation, managed by the California Department of Fish & Game to increase waterfowl and other populations, while at the same time contributing to the local economy. The YBWA contains both seasonal and permanent

wetlands that attract waterfowl and shorebirds in the Pacific Flyway, and agricultural leases in partnership with the Dixon Resource Conservation District. These leases include rice production areas which provide rich habitat for migratory ducks, geese and shorebirds.

Managed wetlands offer the opportunity to develop “Best Management Practices” to maximize habitat value while minimizing some of the potentially harmful influences of wetlands including the methylation of mercury, the production of mosquito populations and the proliferation of riparian vegetation which could impact the flow of flood waters in the Yolo Bypass.

Feliz highlighted the work of Yolo Basin Foundation’s *Discover the Flyway* K-12 program which has brought more than 40,000 students to the YBWA since 1997, and public tour programs that have brought an additional 30,000 people to the Wildlife Area. He also noted the success of the Wildlife Area bat tours, which have encouraged more than 500 people annually to view the spectacle of the daily flyouts of hundreds of thousands of Mexican free-tail bats on summer evenings. Feliz invited stakeholders to the upcoming Duck Days events on February 19-20, 2010, and to the Yolo Vernal Pools Open House which would be occurring in late March or early April. He finished his presentation with information about waterfowl bands collected at the Wildlife Area this year.

4. Yolo Natural Heritage Program – Maria Wong, ED Yolo Habitat JPA

Maria Wong described the Yolo Natural Heritage Program (YNHP) as a county-wide Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP), led by the Yolo County NCCP/HCP Joint Powers Authority, made up of representatives from the Yolo County Board of Supervisors; city councils of Winters, Woodland, Davis, West Sacramento; and an ex-officio representative for UC Davis. The NCCP/HCP are expected to be incorporated into the Conservation and Open Space Element of the Yolo County General Plan, currently under revision. Wong reported that the JPA was involved in a complex, iterative process to develop the Yolo Natural Heritage Program. Initial draft chapters of the YNHP Plan have been posted on its website (www.yoloconservationplan.org) for public comment and review. The program protects the habitat of county species, particularly those whose numbers are declining or those who are designated as endangered species, through conservation of open spaces and protected habitats, land use planning, and permitting requirements of participating jurisdictions. Conservation strategies are being launched for six habitat categories: Woodlands/Forests, Riparian/Wetlands, Shrublands/Scrub, Grasslands/Prairie, Agriculture, Barren/Urban.

Wong indicated that the practices of the Yolo Bypass Working Group had been incorporated into the YNHP approach, such as the emphasis on strong partnership relations and the adoption of effective policies. The Yolo Bypass is within the boundaries of the Yolo Natural Heritage Program Plan. The YNHP is increasing its public outreach through an interactive, traveling kiosk.

5. Woodland Davis Clean Water Supply Project – Jacques DeBra, City of Davis

Jacques DeBra provided an update on this project designed to secure Sacramento River water rights for purposes of meeting anticipated water needs for the Cities of Woodland and Davis to 2040. The project is operating as a Joint Powers Authority with a governing board made up of two elected officials, two city council members from both cities, and a non-voting UC Davis representative. UC Davis has not formally committed to participating in the project. The project recognizes the need to move quickly on developing an early design for a Sacramento River intake, which would consist of a large pipeline to a regional facility east of Woodland, where water would receive advanced treatment before being conveyed to both Woodland and Davis. The conveyance structure cost to the cities is expected to be about \$325 million, with Davis' share estimated to be between \$150-\$180 million.

Meeting attendee Jim Provenza asked how taking water from the Sacramento River helps with water supply when water needs are year around. DeBra confirmed that the Sacramento River water rights being sought were from October to May. He explained the plan was to enter into an agreement with a base summer water right. In place of it, they will use well water.

Mike Hardesty noted that there are both long-term and short-term contracts, and that some have water use permits that run through 2045. In response to Hardesty's question about the cost basis of water, DeBra explained that the basis of water cost now is figured at \$300 per acre foot, but is expected to be \$600 per acre foot in the future. He also noted that current water costs from existing well sources must include home treatment costs to soften otherwise hard water. Surface water from the Woodland Davis Clan Water Supply would eliminate the need for water softener costs, a cost offset approximated to be \$18 per month per household.

6. Yolo County Integrated Regional Water Management Plan – Donna Gentile, WRA

Gentile provided members with the Executive Summary of the Yolo County IRWMP that was adopted in 2007 by all member agencies, a result of many years of planning, development, and public participation. The plan contains eight key integrated projects, including the Yolo Bypass Integrated Project, for which Yolo Basin Foundation is identified as the lead partner. The WRA Technical Committee and the WRA member organizations continue to provide updates in order to keep the IRWMP a current, living document. Foundational actions include assessment and monitoring of groundwater, surface water, subsidence, and habitat. The next step is to compile the information obtained in these foundational actions and then update the document accordingly.

Proposition 84, as interpreted now, requires regional water management plans to incorporate broader geographical areas, and the Yolo County IRWMP will be incorporated into a larger plan that covers other counties as well. Gentile noted that Jacques DeBra was the Chair of the Technical Committee, and that Robin Kulakow was helping to formulate actions within the Bypass.

7. Delta Methylmercury TMDL Collaborative Stakeholder Process – Janis Cooke, Central Valley RWQCB

Cooke explained that when water bodies do not meet standards for total maximum daily loads (TMDLs) for specific pollutants, states and tribes are required to develop a plan to achieve those limits. Collaborative stakeholders from Clear Lake, Cache Creek, and Yolo Bypass are working on a plan to reduce methylmercury loads by reducing inorganic mercury from a number of sources. On April 22, 2010 Earth Day, they will present a Methylmercury TMDL to the Central Valley Regional Water Quality Control Board that will consist of a phased approach, addressing wetlands and flooded fields where inorganic mercury is methylated. Bob Schneider indicated that half of the region's mercury source is from the headwaters of Cache Creek, and this TMDL is going to have significant regional impact because all solutions are going to involve both the Cache Creek Settling Basin and the Yolo Bypass. He noted that it is a major public health issue affecting regional fishing, with particularly high impact on subsistence fishers. Tanis Toland, US Army Corps of Engineers, asked if there were BMPs for methylmercury. It was noted that the US Geological Survey and DFG worked with rice farmers in the Yolo Bypass on what could be done to reduce methylmercury. A participant asked if the Bay Delta Conservation Plan was involved with the methylmercury TMDL process, and Cooke responded that the BDCP had only minimally addressed the issue. Yolo Bypass and the Cosumnes watershed contribute the highest levels of methylmercury to the Delta and the TMDL could require a 75% reduction. It remains unknown whether a significant reduction in elemental mercury can result in this much reduction of methylmercury. DFG is developing methylmercury BMP's and another study is underway to measure its reduction when moved through a permanent wetland.

8. FloodSAFE Yolo – Tim O'Halloran, Yolo County Flood Control & Water Conservation District

O'Halloran presented a brief history and update on FloodSAFE Yolo on behalf of Program Manager Fran Borcalli who could not be present. Yolo County, the City of Woodland, and the Yolo County Flood Control & Water Conservation District have developed a cooperatively funded two-year effort (later extended to three years) to create a sustainable, regional approach to flooding that backs up at the Cache Creek Settling Basin, and which poses a particular flood threat to the City of Woodland. FloodSAFE Yolo has taken a geographic perspective to assess the Cache Creek flood system, the natural and constructed canals and sloughs, and the floodplains. The Settling Basin is affected by mercury issues, however the project is not authorized for mercury control. In addition, the Settling Basin is filling with sediment, and is already at least half full. Solutions have been advanced to raise the weir to increase basin capacity, but Woodland is concerned that solution will increase backwater flooding at the Yolo Bridge. The group is asking the US Army Corps of Engineers for more funding to study potential solutions.

Tanis Toland, USACE, asked how the Cache Creek Settling Basin works. O'Halloran described it as a built levee to hold water in, but which also keeps water from flowing out. It increases flooding where I-5 meets Cache Creek. Flood modeling demonstrates that I-5, a major transportation corridor, could be made impassable by floodwaters. Bob Schneider, Tuleyome, noted that the solution of opening up the flood corridor accommodates large flood events. Warren Westrup, Yolo County, noted that CalTrans has altered adjacent roads since the construction of the Settling Basin, and there is a need to be concerned.

9. Lower Yolo Bypass Planning Forum – Robin Kulakow, Yolo Basin Foundation

Kulakow reported that the Lower Yolo Bypass Planning Forum addresses a whole set of unique issues and areas not otherwise addressed, including Liberty Island and Prospect Island. She announced that the next meeting of the Forum will occur on February 26, 2010. The last meeting, held in June 2009, addressed issues related to the Yolo Bypass and the Bay Delta Conservation Plan's proposed modification of the Fremont Weir. Planning Forum comment letters, proposed conservation measure and meeting summaries are posted at www.yolobypass.net. The group lost funding for almost a year, but stakeholders raised money to continue meetings for a few months. Bond funding was recently restored so the Forum is up and running again with an extended contract end date. The Planning Forum is an example of a good stakeholder effort that is a direct result of the Yolo Bypass Working Group. Mike Hardesty added a caveat that though stakeholders worked hard on the last document, and it had promise, it was not finished. Kulakow noted that the Forum's working document provides a good place to continue further discussions on the BDCP.

10. Central Valley Flood Protection Plan – Merritt Rice, DWR Statewide Flood Planning Office

The CVFPP is one part of FloodSafe California, an integrated flood management plan for California. FloodSAFE California recognizes the state's liability, and the inadequacy of the system in light of other national flood disasters such as Mississippi River flooding and Hurricane Katrina. The CVFPP is to become effective on January 1, 2012, and updated every five years. Its intent is to create a broadly supported plan for improving flood management in the Central Valley, promoting understanding of integrated flood management from a variety of jurisdictional and other perspectives, and developing new data that can be shared for a variety of purposes. The CVFPP scope is to describe the Sacramento-San Joaquin River Flood Management System and its issues and challenges, recommend actions to improve flood protection, and focus first on flood management and public safety, while integrating ecosystem restoration and other efforts. Rice provided participants with an overview of the plan's schedule and next steps. The CVFMPP website is at www.water.ca.gov/cvfmp.

11. Bay Delta Conservation Plan – Karla Nemeth, CA Resources Agency, BDCP

Nemeth introduced the BDCP as an ambitious Habitat Conservation Plan (HCP) and a California Natural Community Conservation Plan (NCCP) that addresses 11 aquatic species and 45 plant and wildlife species. She indicated that the BDCP has had a bumpy road because some of its individual aquatic measures, such as the notching of the Fremont Weir to allow for 3,000-6,000 cubic feet per second (cfs) of water flow through the Yolo Bypass from December through April, are in conflict with existing uses. The BDCP is hopeful that it can engage stakeholders in the process in order to minimize land use conflicts, and are considering a proposal to establish a local group for the Yolo Bypass and Suisun Marsh. The participants are looking for ways that habitat restoration plans can offer multi-beneficial approaches, and ways to incorporate input from stakeholders in the process. BDCP has been in discussions with DWR, USACE, CVFP and the Yolo Natural Heritage Program about topics such as mitigation for terrestrial habitat losses and reduction

of losses as much as possible. The public draft of the plan is scheduled to be released in Fall 2010.

Mike Hardesty, Resource District 2068, asked how BDCP biological measures would be reconciled with current biological opinions (B.O.s) Nemeth indicated that this plan will replace B.O.s as currently described, and confirmed that resource agencies have bought in to the plan. Concern was expressed about the extent of modeling of the Yolo Bypass, and the challenge of channelizing proposed flows. There is a sense of impending unresolvable conflict, and a need to explore design changes that can mitigate or avoid potential problems. Nemeth expressed a desire to use the Yolo Bypass Working Group as a forum to discuss Delta issues with local landowners.

Dave Feliz, DFG, summarized a set of fish management alternatives, including modifying the Fremont Weir and how it could increase floodplain productivity by being flooded on a regular basis. Feliz presented the potential benefits of a different set of alternatives which include consistent passage up the Toe Drain and Tule Canal, realignment of Putah Creek to spill into the Toe Drain, the potential to create a freshwater tidal marsh at the confluence of the realigned Putah Creek and the Toe Drain, control of fish movement at the Lisbon Weir, including permitting their passage through when the Fremont Weir is open or routing salmon to Putah Creek. The Yolo Bypass Wildlife Area has approximately 700 acres that could be lowered in elevation to expand the freshwater tidal area. Feliz reminded the participants that the Yolo Bypass Wildlife Area is first and foremost part of the floodway, but it has been successfully managed to provide tremendous productivity for wildlife, fish, and agriculture.

Feliz presented an alternative conveyance option which is centered around modifying the Fremont Weir on the west end and bringing water down the west side of the Yolo Bypass in a canal. From this side, water could gravity feed into existing rice fields and managed wetlands for fish rearing. This alternative of rearing young salmon in a managed scenario would leave landowners whole and able to continue with their existing land use practices.

Feliz expressed his belief that these important ideas deserve study, and are consistent with the need to keep the floodplain clear and existing land uses intact.

Selby Mohr, Mound Farms, asked if there was money available through the Water Resources Control Board that Yolo County might not be benefiting from. Mike Hardesty noted that a western canal through the Bypass was proposed in 1943, but the idea was never developed. Mohr asked if there is a map of the 11,000-21,000 acres to be flooded. Feliz indicated he could put together a map of the Westside option to distribute to the group.

Participants asked Nemeth to ask the BDCP to consider smaller scale options and to build a larger overall plan from those rather than create an entirely new plan for the Bypass that imposes actions on areas that have already been actively designing and implementing successful management projects. A larger plan could learn from existing project implementations, but would require time and money. Nemeth conceded that the BDCP

has produced a suite of measures directed at habitat conservation, starting in the Bypass, but that approach was losing steam, in part because of different opinions around the steering committee table.

Working Group members again noted that the Yolo Bypass offers the best opportunity for restoring salmon and steelhead runs which have suffered steep declines, while at the same time provide solutions that benefit agencies, agriculture, and landowners to the south. Mike Hardesty noted that the Yolo Bypass is the largest single component in the Central Valley flood control system, and as such, should not be considered a blank slate for new ideas, but rather, provides an opportunity to fix existing problems. Feliz reiterated the potential to move additional waters through the Yolo Bypass from west to east, and hopes to stimulate discussions and questions on this possibility. Jim Provenza, Yolo County, observed that the habitat concepts were moving ahead of flood protection. Nemeth expressed appreciation for Yolo Bypass Working Group comments, and indicated she would be communicating today's discussion with the BDCP Steering Committee.

Meeting adjourned.

DRAFT