

**DRAFT Meeting Summary
Yolo Bypass Working Group
Meeting 41**

**June 5, 2007
10:00 to 1:00.**

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

IN ATTENDANCE: Robin Kulakow, Yolo Basin Foundation (Foundation)
Dave Ceppos, Center for Collaborative Policy (CCP)
Joel Buettner, Sacramento Yolo Mosquito and Vector Control District
(SYMVCD)
Jennifer Benito, SYMVCD
Marianne Kirkland, DWR Division of Ecological Services
Dave Feliz, DFG, Yolo Wildlife Area
Dave Kohlhorst, Glide-In Ranch
Ron Tadlock, Yolo Bypass Farmer / Landowner
Dick Goodell, Glide in Ranch
Dean Ongaro, H Pond
Chris Fulster, Glide In Ranch
Ed Penny, DFG
Mark Herold, DWR Division of Flood Management (DFM)
Eric McGrath, DWR DFM
Tracy Sheehan, Yolo County
John Curry, Dixon Resource Conservation District
Selby Mohr, Mound Farms
Paul Phillips, California Waterfowl Association
Don Stevens, Glide-in Ranch
Andy Englis, UDC WFCB
Mary Menconi, DFG
Mick Klasson, Consultant – SAFCA
Tony Lucchesi, Wildlands, Inc.

1. Introductory Comments

Dave Ceppos and Robin Kulakow opened the meeting. They reminded the group that all meetings are now funded through a combination of funds from the DWR Division of Planning and Local Assistance, Integrated Regional Water Management Planning (IRWMP) Program, and the soon to be funded DFG Lower Yolo Bypass (LYB) Collaborative Planning Process.

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

The meeting summary from January 30, 2007 was adopted as final with no changes.

3. Update on Yolo Wildlife Area Management Area

Dave Feliz, DFG discussed two categories: New Restoration Activities, and Impacts to Wildlife and Agriculture from this year's water and flow conditions

Dave described the previous winter as one of driest years on record. He explained that fortunately, the Bypass is naturally moist because of its low elevation and location at the north end of the Delta. Therefore, the Wildlife Area was not adversely affected by lack of rain. He stated that as a result of the minimal rain and no flood flows, there was an increase of ground nesting birds, and a chance for rodents to invade the Bypass, thus providing more winter food source for raptors.

He explained that without extensive flooding, the naturally occurring vegetation turns into sweet clover which is beneficial as it fixes nitrogen in the soils and provides good forage for cattle. Another benefit from low water was rice farmers were able to get in their fields early and set their crops on time. Flood years mean a loss of agricultural income for the Yolo Wildlife Area (Wildlife Area). For example, the floods of 2006 resulted in a loss of 1,500 acres white rice and wild rice, 100 acres of safflower, and 50 acres corn and milo for wildlife. The Wildlife Area received \$286,000 from FEMA for 2006 flood damage. This is being used to repair levees, ditches, and gravel roads in north end. He explained they are trying to extend usable roads on the Tule Ranch for winter hunting and to perhaps extend roads down to the trestles area.

Regarding current agricultural practices, the Wildlife Area continues to run cattle to knock down some vegetation and earn grazing fees. These areas then become available for hunting geese and ducks. They have 400 acres of organic tomatoes and are rotating some organic fields with annual rye to support organically raised cattle as well.

The Wildlife Area received \$407,000 from California Wildlife Conservation Board's, Habitat Conservation Fund. They are replacing a submersible pump station with a convention long shafted low lift system. They have also been working on a 350 acre wetland restoration near Greens Lake. This area will be available for hunting.

Phase 3 of North American Waterfowl Conservation Act (NAWCA) funds are being implemented by the California Waterfowl Association (CWA). New projects include the Parker and PG&E parcels. NAWCA funds are federal and are matched by state money used to purchase the Glide Ranches. Ducks Unlimited (DU) is also implementing NAWCA funded habitat restoration. More restoration is slated for next year on the Parker and PGE parcels as well. Additional work includes: restoring flow to an old branch of Putah Creek above the existing check dam; creation of swales and high ground, installation of pumps, and other efforts. Dave described the new wetlands near the I-80 Causeway. A new delivery ditch was built and the dirt was used to build levees for the wetland cell. The site is being managed as a brood pond.

In the southern Wildlife Area, work has been done on the main supply canal on the boundary of the Glide In Ranch.. There has been restoration of wetlands in the the old Martin's Pond . This restoration totaled about 400 acres. It is anticipated that the southern portion of this wetland will not be hunted in order to hold more birds for the adjacent duck clubs and for the Wildlife Area. Combined with adjacent planned wetland restoration projects, a total of 530 acres is being held for no hunting. Chris Fulster raised a concern that 530 acres does not translate into enough distance if the intent of DFG is to hold birds. He would like to see more buffer such as 500-1,000 feet. Dave Feliz

stated that there is about a 2,000 foot buffer and that the intent is to improve hunting for both clubs and DFG.

Regarding other activities, DFG received AB 1982 funds a few years ago to look at managing vegetation to prevent mosquito production. They have been discing joint grass and spraying to prevent mosquito production and providing labor for maintenance activities. The partnership between the Wildlife Area and the Sacramento Yolo Mosquito Vector Control District (District) to prevent mosquito production has been very successful.

Dave described that Eric Hansen has been doing giant garter snake (GGS) surveys. They have found that the area along the west Bypass levee reflects some of the densest populations of GGS known anywhere in the Sacramento Valley; up to 98 snakes per kilometer. GGS have been documented on both sides of the levee. The snakes use the levees as refuge during floods. A participant asked if and how they are tracking / tagging the snakes. Dave described that they install a microchip that they can scan later, similar to chips used on pets to track their location. GGS feed on fish and small vertebrates, invertebrate larvae, shiners, and mosquito fish.

Dave described the USGS mercury study that was started last week. The first thing being looked at is potential methyl mercury (MeHg) production in rice fields. MeHg is only dangerous if ingested since it is the organic version of mercury and is therefore biologically available to accumulate in food chains. There is documentation that nesting Caspian terns are being affected by MeHg and that there is bioaccumulation in their food chain. Dave described the sampling points for the USGS study and described that samples will be taken for the next 3 months. DFG is doing additional study on seasonal and permanent wetlands to study MeHG production. Initial data shows that water from seasonal wetlands loses MeHg when it moves thru a permanent pond. Work will continue next year on this study. DFG is completing a proposal to CALFED with the Yolo Basin Foundation to continue studies looking at wetland production of MeHg. The goal is to find best practices for wetland management that can support habitat development and species productivity while minimizing exposure to MeHg.

Chris Fulster asked about target hunting areas for 2007-2008. Dave Feliz stated that the DFG will keep what was hunted last year and that if access is improved in time, hunting areas may move south. Dick Goodell asked Dave to clarify if the goal of the southern Wildlife Area wetlands is to provide sanctuary. Dave stated the goal is to improve hunting for clubs and DFG. He said they may flood the Fireman's Club near Midway Road, which would be used for junior hunting only.

4. Update on Yolo Bypass Working Group IRWMP Subcommittee Activities

Robin Kulakow described that the Subcommittee met on May 21. The purpose of the Subcommittee is to support the Water Resources Association of Yolo County in their IRWMP efforts and to ensure that Yolo Bypass stakeholders have a voice in subsequent County-wide water resources decisions. The intent is to have different watershed-level groups in the County coordinate and minimize competition for funding of water resources projects. The Subcommittee met in March to define projects for the WRA to include in, and complete their IRWMP. The Subcommittee has created draft formal operating rules to make future decisions to recommend projects. Parts of the operating rules describe the target representatives on the Subcommittee. There have been continuing requests from some stakeholders that a non-agency fishing representative be included on the Subcommittee. The Subcommittee has discussed this and feels there is adequate representation of fishing interests in their

group and that other interested stakeholders always have the opportunity to attend the Subcommittee meetings and provide input that the Subcommittee must consider.

Regarding the list of projects the Subcommittee provided to the WRA (for inclusion in the IRWMP), Tulyome (a regional environmental advocacy group) proposed a new project that was submitted after the IRWMP was finalized. The new proposal is for improvements to Fremont Weir access to allow public opportunities to recreate in that location in the Bypass. Currently the east levee road to the Weir is gated to prevent access to the levee and to adjacent private property. Access from County Road 16 ultimately crosses land owned by the Sacramento – San Joaquin Drainage District (the precursor to the State Reclamation Board). The perspective of Tulyome is that this is state land and that some accommodation should be made to support public access. Tony Lucchesi of Wildlands (current landowner adjacent to part of the area in question) questioned the appropriateness of this suggestion as it increases the likelihood of public dumping and other illicit activities along a rural, unmonitored road. They are not fundamentally opposed to public use of the state land. Don Stevens asked what the purpose of the public access would be. DFG runs pheasant hunting activities periodically on this land, apparently through a minimal lease arrangement with DWR. Dave Feliz stated that the Fremont Weir Wildlife Area (FW Wildlife Area) is between the Fremont Weir and the Sacramento River and that access is provided from the west side of the Bypass. Marianne Kirkland and others stated that it is difficult to park there but there have been recent improvements for parking. Access into the FW Wildlife Area is on foot. Further discussion between participants indicated a difference of opinion between Wildlands and Tulyome regarding the appropriateness of gating portions of Road 16.

Wildlands has requested a gate but the County did not approve it. Tony stated that there are differences of opinion about how access is defined in DFG regulations. Wildlands asserts that FW Wildlife Area use is a “Type C” access and not requiring constant access. Other participants raise other concerns. Poaching is a problem; DFG Wardens have spotted and caught poachers several times poaching fish and deer. There have also (reportedly) been numerous trespass issues, including trespass thru Wildlands property. Some participants stated that it is good Pheasant habitat but not compatible with, or appropriate for nature trails. Dave Feliz stated people should not assume public access is a bad thing and that field conditions depend on how property is managed.

5. Presentation on Liberty Island Conservation Easement Agreement

Tom Cannon described that working with the Trust for Public Lands (TPL) and other representatives of Reclamation District 2093 (Liberty Island), Wildlands is creating a conservation bank. Wildlands has a contract on the Kerry Property on the island; this represents approximately 1,000 acres of land on the northern edge of the island. Delta smelt are known to spawn in the tidal area immediately south of this higher non-inundated land. The Kerry property is only flooded during Bypass floods and through ditches during extremely high tides. The entire island was originally intended to be part of the proposed North Delta Wildlife Refuge. TPL was to have held the land for a short time and then deed it over to the US Fish and Wildlife Service (FWS) however the proposed refuge became problematic, was not approved and TPL has been left holding the land for over eight years.

Current land use of the Liberty Island for flooded and non-flooded areas is essentially passive restoration. TPL is not and has not pursued active restoration. TPL allows public access for hunting and they and Wildlands try to manage with public uses in mind. There have been vandalism problems because the area is so isolated (i.e., littering and dumping, illicit drug activity, etc.) Wildlands’ goal would be to flood some more area, and preserve the existing wetlands. Their project

ideas cover a few phases. The first phase would be to remove the interior east-west levees that impede flood flows coming down the Bypass. This would allow water to come onto the site, improve Bypass flow conveyance, and minimize backflow conditions upstream of Liberty Island. Additional phases would focus on active habitat restoration in key areas. Dave Feliz stated that he's heard the soils on the island are alkali and that there could be an endangered lily. He questioned if that had been reported or confirmed. Tom had not heard about this and did not have an answer as there have been no recent comprehensive plant surveys on the island.

Selby Mohr asked what the schedule is for Wildlands' plans. Tom stated that they still need title to the Kerry property. He said that subsequent restoration efforts would have to be worked out with the FWS and other agencies through standard environmental compliance steps and collaborative efforts. They don't expect any construction in 2007. He said they would like support from the Working Group for the easement efforts. Selby asked how this can be used as mitigation since nothing can be built on the island and since much of Liberty Island was purchased with public funding. Tom stated that conservation banking can be done with preservation and still adhere to a "no net loss" policy.

Don Stevens asked if the concept is that this would be mitigation for water projects or private projects. Tom stated this would be mitigation for small projects such as boat docks, etc. Don expressed concern that credit could be given for habitat that might not help really help sustain target Delta species (e.g. splittail). He stated that it should be proven that mitigation is successful before habitat credits are given. The Biological Opinion for Delta pumps should include Liberty Island and specifically look at smelt habitat; and associated monitoring. If FWS doesn't feel the project is actually mitigating losses, FWS should not approve mitigation. Tom explained that credits are based on habitat types. Liberty Island provides spawning area not rearing habitat. Projects have to replace habitat, not actually result in increased smelt populations.

Tom explained that TPL's obligation at this point is to protect its own interests and to ensure that the rest of Liberty Island is sold to a private entity, then CALFED should be paid back. Wildlands is hoping to create an endowment with the sale of the Kerry property (and potential other island parcels) to Wildlands.

Dave Feliz asked Mike Hardesty about the history of reclaimed lands in the Bypass, particularly whether reclamation proceeded flood control projects and what type of agreements were made regarding restricted height levees like those on Liberty. Mike's understanding is that reclaimed areas were incorporated into flood control projects. Further group discussion took place about the "Stairstep", the unique levee feature of the northern Liberty Island that created an impediment to flood flow in the Bypass. A general question was asked about what would happen if the Stairstep were removed. Selby stated that it would likely relieve pressure upstream. Another comment was that a flooded Liberty Island saves upstream lands somewhat. The Stairstep has a hydraulic impact on early floods; redirecting a lot of energy from center of the Bypass channel to levees and creating an adverse impact.

6. Update on Vector Control and West Nile Virus for Summer 2007

Joel Buettner described that the District has been preparing best management practices (BMP) for water application on lands for the current season to prevent mosquito production. Water that stands for more than 72 hours in summertime produces mosquitoes. The District Board passed a resolution to use land management that reduces mosquito production before resorting to chemicals. District BMPs are an attempt to create middle ground options for land managers. Inspection procedures

would identify areas that are more or less problematic and to provide a menu/framework of possible management actions to minimize mosquito production with minimal chemical application. The BMPs were adopted in April 2007 and this is the first season to try them.

Dick Goodell referred to previous years where the District has made equipment available to help landowners; mowers, backhoes, etc., to disc, clean ditches.. He asked if this will continue in the future. Joel stated that the District wants to expand this for more land owners, perhaps through a grant program. The District is funded with public money so they want to distribute resources/services as equitably as possible and to minimize costly efforts like chemical usage when there are better alternatives.

Dave Ceppos asked if there is a template agreement for landowners in the Bypass and if it would be possible to get a pilot project with a few landowners to start off. Joel stated that the District has a handful of these agreements. Joel wants to develop a BMP template based on experience from this year. Dave offered that he and/or Robin could work with the District to get templates going

Joel discussed an incentive program to encourage later season flood-up and he provided a hand-out providing more detail. The goal is to minimize assessed fees on landowners that are willing to flood their clubs late in the season. The handout is on the District's website. Selby asked if Joel wants feedback from landowners about the proposed incentives. Joel stated they'd like feedback within 4 weeks, preferably in writing. He also encouraged landowners to call him anytime.

7. Presentation on Riparian Habitat and Species Monitoring Project

Andy Englis described the UCD Museum of Wildlife & Fisheries Biology and its current efforts regarding the Bypass. They have been working for some time on lower Putah Creek; conducting bio monitoring along the reach downstream of Lake Solano. They have also done similar work throughout the state, and with private clubs, state parks, etc. Most of the monitoring is done on private land and is used to confirm the presence or absence of species, rather than to rely on speculation. An additional future phase (after initial monitoring is largely completed) is to study species population, frequency, etc. changes over time as a result of changes in land use. They use a variety of field methods to assess overall population diversity (particularly but not exclusively of avian species) and to also track conditions for key species. An example of valuable data from their efforts includes Putah Creek conditions. Previous studies by other groups speculated that Putah Creek had very low riparian habitat value due to an assessment done at a creek-side park in Winters. New data conversely show that lower Putah Creek is very diverse and that habitat along it deserves protection.

Andy explained that they want to have the same understanding of the Yolo Bypass to aid future management decisions. He is hoping to generate interest from private landowners to have his staff conduct assessments for a range of species and under various seasonal conditions in the Bypass. Dave Ceppos suggested that Andy speak with representatives from Conaway Ranch regarding their early efforts to create a conservation plan. He said there might be some mutually beneficial opportunities to be explored.