

Lower Yolo Bypass Planning Forum

FINAL SUMMARY

July 28, 2010
Walnut Grove Public Library
Walnut Grove, CA

Attendance

Forum Members

Kathy Barnes-Jones, Solano County
Mike Hardesty, Reclamation District
(RD) 2068/2098
Butch Hodgkins, Central Valley Flood
Protection Board (CVFPB)
Robin Kulakow, Yolo Basin Foundation
(YBF)
Selby Mohr, Mound Farms
David Okita, Solano County Water
Agency (SCWA)
Tom Philp, Metropolitan Water Agency
(MWD)

Heidi Rooks, Department of Water
Resources (DWR)
Don Stevens, Glide in Ranch
Jan Vick, City of Rio Vista

Observers

Mitsuko Grube, Department of Fish and
Game (DFG)
Steve Rodriguez, DFG
Alex Westhoff

Staff

Sam Magill Center for Collaborative
Policy (CCP)

ACTION/AGREEMENT ITEMS:

1. Alex Westhoff will send all case studies used for the Delta National Heritage Area feasibility study to Planning Forum participants.
2. Robin Kulakow will send the draft project description for the YBF West Side Conveyance option to CCP for distribution to the Planning Forum.
3. CCP will draft a letter to the Bay Delta Conservation Plan (BDCP) Steering Committee outlining a list of “no/low regrets” actions in Chapter 8 of the BDCP and items of concern/needing substantial additional technical analysis.
4. Consultants for habitat restoration activities on Yolo Ranch will deliver a presentation to the Planning Forum at its next meeting. This meeting will take place during the last week of August. CCP will send out a scheduling notice to the entire Planning Forum to set a date.
5. CCP will develop a more robust management recommendation based on the Planning Forum conversation about Liberty Island (see below).

Introductions

Sam Magill, CCP, opened the meeting and led members of the Lower Yolo Bypass Planning Forum (Planning Forum) in a round of introductions. After brief opening statements, Alex Westhoff, consultant for the Delta Protection Commission (DPC) delivered a presentation on the proposed California Delta National Heritage Area (NHA).

National Heritage Area Presentation

Mr. Westhoff delivered a presentation on the proposed California Delta NHA. The idea of a Delta NHA grew out of the Delta Vision “Delta as Place” work group. A series of public meetings have been conducted to determine the feasibility of a Delta NHA; the main focus of NHA efforts at this time is “getting the word out” to local groups of stakeholders such as the Planning Forum. A complete copy of Mr. Westhoff’s presentation is available online at www.yolobypass.net under “Meeting #13.”

In addition to the presentation, Mr. Westhoff discuss a recent attempt by US Senator Diane Feinstein to develop a Delta NHA proposal of her own. The current chairman of the DPC is holding discussions with Senator Feinstein’s office to determine if there is a conflict between the two proposals.

Discussion:

- Kathy Barnes-Jones asked if Mr. Westhoff can distribute the case studies forming the basis of the NHA proposal to Planning Forum participants (**see Action Item #1**).
- Don Stevens asked what implications the Bay Delta Conservation Plan (BDCP) and Delta Plan may have on the NHA proposals. Mr. Westhoff commented that these planning processes are entirely separate from the NHA and do not appear to conflict with it.
- Selby Mohr asked what the impact of a Delta NHA could be on private landowners in and adjacent to the Yolo Bypass (Bypass). Mr. Westhoff responded that the laws governing the NHA process specifically state that NHA’s have no land use authority.
- Mr. Mohr asked who would staff the NHA. Mr. Westhoff responded that staff from the Oakland office of the US National Parks Service (NPS) function as staff.
- Tom Philp asked if DPC would be the primary management entity of the NHA. Mr. Westhoff responded that this is not the intent of the DPC proposal. One focus of the public engagement meetings currently underway is to determine what the appropriate management entity would be. David Okita added that in the Feinstein legislation, DPC is identified as the management entity.
- Robin Kulakow noted that the Feinstein legislation is one way to bring federal money into California for things like the Delta Conservancy or the proposed NHA.
- Mr. Magill asked what the “inventory” portion of the NHA feasibility study entails. Mr. Westhoff responded that the inventory is an investigation of existing

Delta studies and surveys to determine the appropriateness of an NHA designation.

West Side Conveyance Discussion

Ms. Kulakow delivered an update on west side conveyance activities for the Bypass. YBF and others developed a proposal to move water from west to east across the Bypass for habitat purposes. This proposal is an alternative to the BDCP deep water fish passage and floodplain inundation proposal. MWD provided some initial funding for planning purposes; YBF is developing a project description for consideration by BDCP. Ms. Kulakow explained that in initial discussions with affected stakeholders including the National Marine Fisheries Service (NMFS), there appears to be broad-based support for the idea, and that feedback to date has been very encouraging. Ms. Kulakow agreed to provide the project description to CCP for distribution to the Planning Forum (**see Action Item #2**).

Discussion:

- Mr. Okita stated that BDCP has recently commented that all habitat projects will be programmatic, although the Environmental Impact Report (EIR) for a conveyance facility will be project specific. Numbers and acreage targets for habitat restoration are likely to be vague in all other areas.
- Ms. Kulakow noted that Chapter 8 of BDCP appears to be extremely specific. Mr. Philp responded that for the purpose of the effects analysis, Chapter 8 has to be specific, even though the actions themselves will be vaguer. Ms. Kulakow expressed concern over the discrepancy in specificity between Chapter 8 and Chapter 3.
- Butch Hodgkins asked if BDCP will go so far as to specify an overall acreage target for habitat restoration in the “restoration opportunity areas,” even if it does not dictate the specific methods for that restoration. Mr. Philp responded that an acreage range will be provided, but full analysis is not available at this time.
- Mike Hardesty noted that Chapter 8 was on the agenda for discussion at the July 29th BDCP Steering Committee meeting.

BDCP Screening Discussion

Mr. Magill led the Planning Forum in a screening exercise using the Planning Forum’s “Management Recommendation Planning Goals” (Goals) available at www.yolobypass.net. The focus of the discussion was on the 9 actions outlined in Chapter 8 of BDCP on pages 8-35 and 8-36. These actions were weighed against the previously agreed to Goals to determine whether a specific BDCP action was consistent with or in conflict with the Goals.

Planning Forum members discussed revising the screening process to offer support for actions consistent with the Goals or determine whether actions may require additional analysis before support can be given. In the case of the 9 actions discussed during the meeting, it was determined that actions 4, 5, 7, and 9 in Chapter 8 could largely be

considered “low regrets” or “early implementation” actions requiring little additional analysis. That said, members acknowledged that *any* modification to the Fremont Weir (including the experimental sturgeon ladder discussed in action 5 of Chapter 8) must include a high degree of technical analysis, and may require Congressional authorization. Participants agreed that CCP should draft a letter from the Planning Forum to the BDCP Steering Committee expressing “low regret” for the actions above, support for the idea of a west side conveyance, and the need for substantial additional discussion of actions 1, 2, 3, 6, and 8 in Chapter 8 before further planning progresses (**see Action Item #3**).

Discussion:

- Mr. Philp noted that in BDCP meetings, he recommended that all adult fish passage and juvenile fish habitat actions/measures be lumped together.
- Participants generally agreed that any major modifications to the Bypass (especially to Fremont Weir or the Toe Drain) could have very significant impacts on all land management decisions.
- Mr. Okita commented that the letter should reiterate that this is not the only letter BDCP will receive from the Planning Forum on the proposed actions. Additionally, he stated that actions characterized as “no regrets” should not be confused with “no discussion” by BDCP.
- Planning Forum members discussed the possibility of receiving a presentation on Yolo Ranch habitat restoration activities at the next meeting. A next meeting will be scheduled for the final week of August, likely August 25th or 26th (**see Action Item #4**).

Management Recommendations Discussion

After a discussion of the screening exercise and letter, Planning Forum members discussed potential management actions/recommendations for lands within the Lower Yolo Bypass. Since Liberty Island is the largest area within the Lower Yolo Bypass, participants decided to discuss it before other areas. Based on the conversation, the following issues should be addressed by a management recommendation for Liberty Island:

- Removal of the transverse east/west levees at the north end of Liberty Island. This could include complete removal or lowering below the mean water surface elevation to provide fish rearing habitat.
- Preserve the north/south levees at the north end of Liberty Island to minimize wave fetch.
- Preserve the east/west levees along either side of the island as “channel islands”. This will help minimize wave energy and its effects on adjacent islands and provide habitat for aquatic species.
- Control access points to Liberty Island to reduce illegal land use (i.e., illegal hunting, controlled substance production, dumping, etc.).
- Where appropriate, enhance recreation opportunities on Liberty Island. Any increase of recreational opportunities should take into account a need for additional emergency services and the potential for trespass issues on adjacent private lands.

- CCP will develop a more robust management recommendation based on the comments above for discussion at the next Planning Forum meeting (**see Action Item #5**).