

## **Delta Levees and Habitat Advisory Committee**

Friday, July 11, 2003

Room 435, Resources Building

Draft Meeting Notes

### **1. Welcome/Self Introductions/ Announcements**

Bob Orcutt of the Department of Fish and Game called the meeting to order at 9:05 a.m. Those in attendance introduced themselves. The list of attendees is attached.

### **2. Minutes from last meeting**

The minutes of the June 6, 2003 were approved as presented.

### **3. Update on CALFED Levee SB 34/AB 360 Program**

Curt Schmutte of The Department of Water Resources reported that the Water Resources Development Act of 2003 was introduced in the House of Representatives (H.R. 2557). It includes a section directing the Corps of Engineers to conduct a study of the feasibility if the beneficial use of dredged material from the San Francisco Bay on Sherman Island (see handout #1).

An on-site briefing of the Dutch Slough Ecosystem Restoration project is planned for July 15. Those interested in attending should contact Curt. The 1200 acre project is funded by \$23 million from CALFED and \$5 million from the Coastal Conservancy. DWR has received \$0.5 million for levee maintenance and related work. The Contra Costa County Local Area Formation Commission approved formation of a new reclamation district on two of the parcels. Acquisition of the real estate is almost complete. The construction project will result in a tidal wetland with significant topographical diversity. Preliminary modeling shows that the project will result in no significant change to water quality. The Dutch Slough property is west of Reclamation District 799, and north of the Contra Costa canal. This funding covers the first three years of the project, DWR will own and manage the land in the first three years as an agricultural operation. For long-term management of the project, the State Coastal Conservancy and DWR are conducting a consultant selection process. Public access issues will be considered as part of this process.

The North Delta Flood Ecosystem Project is on track with the draft EIR/EIS being developed by Jones and Stokes Associates. The project should result in reduced flooding of Interstate 5. It involves changes to the McCormack-Williamson Tract with downstream storage to mitigate increased flows. DWR is consulting with scientists from UC Davis on the complex ecosystem issues. Final modeling has not been released.

Tom Zuckerman advised that Curt contact the Delta Protection Commission with a report on this project, since there has been concern about using Staten Island for permanent water storage. Curt predicted that within a few weeks or months there will

be a significant level of information, including modeling, available. Gil Cosio of MBK Engineers noted that the protected status of the Sandhill Crane dictates that this land's use should be predominantly agriculture. Curt reported that the Corps of Engineers is requesting a time extension and additional funding to complete their portion of the study. The time delay is problematic, but cost share can be absorbed as in-kind services with funding out of North Delta program. Pete Rabbon of the Reclamation Board noted that this issue will come before the Board next week for approval. The Reclamation Board meets the 3<sup>rd</sup> Friday of every month (except August).

Curt is seeking feedback on the Franks Tract project. Anyone interested should contact Curt.

Kent Nelson of DWR continued the report. Phase 2 of the Decker Island Project involves the removal of dredged material that was deposited on Decker to be taken for beneficial reuse in an adjacent area. The property will be contoured to create a sea-level tidal wetland. The contractor for the CEQA document is Stillwater Environmental Services. A draft report was released to the project team for review. No significant problems have been noted. The project team is meeting with fisheries and aquatics resources experts to ensure that it is a beneficial project. Phases 1 and 2 involved 34 acres; the remaining acreage is 470 for phase 3. In addition to participants from the Department of Water Resources, Lauren Hastings of CALFED and Marina Brand of the Department of Fish and Game are involved in this project. Construction should begin in September and will take approximately six months to complete.

The Decker Phase 1 project included fish monitoring; phase 2 will take a more scientific approach, working with scientists from the Department of Fish and Game, CALFED, and the UC system. Discussion with the other CALFED subcommittees should begin in October.

Dave Mraz of DWR provided a copy of the monthly Subventions Report, included as Handout #2 (attached).

Dave outlined a draft proposed CALFED budget concept for the Delta Levee System Integrity Program. His proposal would use Proposition 50 bond funding to assure a fully funded Subventions Program for Years 2 through 6. This could be done by supplementing the Year 2 and Year 3 claims with Bond funds. The supplement would place participating Reclamation Districts in a better position to increase maintenance, repair, and restoration of the Delta's levees. Based on funding that is in the Governor's budget and the proposed cash flow, Proposition 50 would provide a fully funded Subventions program for a total of 5 years. The steady funding will allow the

Reclamation Districts to develop and implement a more aggressive levee maintenance and repair program and to work on deferred projects.

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After discussion, those in attendance approved of taking the concept to the Reclamation Board for approval.

**4. Update on Department of Fish and Game AB 360 Activities**

Bob Orcutt reported that DFG is assisting on the Decker Island Phase II Project. One hurdle that the Van Sickle Island portion of the project may have is a population of Salt Marsh Harvest mice which are federally and state listed, and state protected, which means that they can't be impacted. The Jersey and Bradford islands portion of the project don't have any significant environmental issues. Bob will facilitate fisheries input for the design of the channels for Phase II. He pointed out that it's difficult to design shallow water habitat at this location without encouraging non-native species. Phase II is relying on the same levee opening as Phase I.

DFG is continuing to work with the Reclamation District and DWR on the Bradford Island planting and monitoring plans.

**CALFED Bay-Delta Public Advisory Committee  
Levees and Habitat Subcommittee**

Friday, July 11, 2003  
Room 435, Resources Building  
Draft Meeting Notes

**1. CALFED BDPAC Levee Subcommittee Co-Chair Report**

Tom Zuckerman chaired this meeting. He reported that the governor has completed appointments to the Bay-Delta Authority. It remains to be seen how the Authority and the BDPAC are going to relate to each other. Chris Stevens, the new Counsel for the Bay-Delta Authority, commented that this shows commitment to the future of the Authority as a big-picture, coordinating and accountability function. The charter is still being worked out since federal charter has expired. The Authority is working on setting up a governance structure. Tom commented that some consultants are suspending their work or continuing it on a voluntary basis since the federal charter expired. The contracting process is a top priority.

At the last BDPAC meeting the question was raised to the Science Program about inaction on levees issues that were posed to them by the DLHAC. Discussion followed concerning the revisiting of the questions that have already been presented to the Science Program by this group, and of preparing new questions for them.

**2. CALFED Multi-Year Work Plan Report**

Patricia Fernandez of the Bay-Delta Authority reported that the comments on the draft work plan that she has received indicate that there is interest in these science questions. Discussion of how to present the science questions followed. Marci Coglianesse suggested that we invite someone from the Science Program to come to a meeting of this Subcommittee to address it. Patricia distributed a handout (#3, attached) of the new and old science questions that she has received. The work plan has to be finalized by July 17. It will be presented to the Management Group on July 22 and to the Authority on August 14.

At the last management meeting, it was noted that the Ecosystem Restoration Program work plan claimed to have given the levee program \$85 million. A handout (#4, attached) of the ERP work plan excerpt was distributed. Discussion followed of how the projects overlap and what the Levees Program should claim credit for in the work plan.

July 16 is the deadline for comments to Patricia.

Tom reported that funding for the Delta Protection Commission was preserved by the Legislature, in spite of the Legislative Analyst Office recommendation that the DPC should not get any more funding. The Legislature adopted language to the effect that the commission will continue with half of the funding held back until the Resources Secretary submits a report on the DPC to the Joint Budget Committee.

Lynn O'Leary of the Authority made the suggestion that the Levees Program work plan include a paragraph stating that review of the Science questions should be put in the year 4 agenda.

Marci noted that we should add topics to future agendas that are of interest to members of other subcommittees, in order to encourage their attendance at our meetings.

The group decided to move the August and September meetings to the second Fridays: August 8 and September 12.

### **3. Adjournment**

The meeting was adjourned at 11:04 a.m. The next meeting will be held on August 8, 9:00 to 11:00 a.m., in Room 435 in the Resources Building.