

Delta Levees and Habitat Advisory Committee/  
BDPAC Levees and Habitat Subcommittee  
Draft Meeting Notes  
October 1, 2004

Delta Levees and Habitat Advisory Committee &  
California Bay-Delta Public Advisory Committee  
Delta Levees and Habitat Subcommittee  
October 1, 2004  
650 Capitol Mall, 5<sup>th</sup> Floor  
The Bay Room  
Draft Meeting Notes

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

Bob Orcutt of the Department of Fish and Game (DFG) chaired the meeting. The meeting began at approx. 9 a.m. There were self introductions. There were no announcements.

### **2. Minutes of September 2, 2004 meeting**

There were no comments on the September 2, 2004 meeting minutes. The minutes were accepted by general consent.

### **3. Bay-Delta Levee Program Update on SB 34/AB 360 Program**

Dave Mraz of DWR gave an update on the Subventions Program. He handed out the Subventions Program Update. He stated that the Reclamation Board did not accept the Delta Levee budget at the Sept. 24, 2004 meeting. George Basye volunteered to fill-in Betsy Marchand, the Reclamation Board President, about the history behind the levee program and its inception. Dave said a subcommittee has been formed with DWR and the Reclamation Board to talk about issues.

Paul Bowers of the U.S. Army Corps of Engineers talked about the North Delta Reconnaissance Study. It will be approximately a year before a report is out. The study would determine if a Feasibility Study is warranted. If so, then the Corps would seek a non-federal sponsor.

The U.S. Senate passed their version of HR 2828. The bill is now in the U.S. House of Representatives for approval. This bill would authorize \$90 million to reconstruct levees from 2005 to 2010. If it is to pass it must be done by October 15, 2004 before the House takes a recess. Acting under the authority of Section 205 the Corps could do projects that cost a maximum of \$7 million dollars each.

Curt mentioned that as a result of the Jones Tract levee break the Trapper Slough dredge material issue is having a significant impact on the future use of beneficial reuse. DWR has incurred upfront costs and an increasing regulatory environment with the Regional Water Quality Control Board. DWR is continuing to work with the Corps but due to the previously mentioned issues it doesn't make sense for DWR to continue pursuing beneficial reuse. A higher level such as the Governor's Office will need to weigh-in on

the issue. There are also salt issues and trace mineral content issues with reuse of dredge material.

Paul Bowers indicated that the Corps would be interested in participating in a beneficial reuse demonstration project if another agency comes forward with the funding.

#### **4. Update on Department of Fish & Game SB 34/AB 360 Program**

Bob Orcutt explained that DFG's involvement in the program is to perform inspections after levee work is done to ensure no net loss of habitat and net habitat improvements. DFG has received a dozen final claims for work that has been done and has written nine streambed alteration agreements. Funding for DFG comes from DWR under the State Operations Budget for Subventions and Special Projects.

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

#### **1. BDPAC Levees and Habitat Subcommittee Co-Chairs' Report**

Since some additional people arrived for this meeting, self-introductions were done again. Tom Zuckerman, one of the Levee co-chairs was not present. Marci Coglianesse, the other co-chair of the Levees and Habitat Subcommittee explained the difference between the Delta Levees and Habitat Advisory Committee and the BDPAC Levees and Habitat Subcommittee meetings. The Delta Levees and Habitat Advisory Committee was created as an advisory committee to the Resources Agency. The Authority created Bay-Delta Public Advisory Committees (BDPACs) for each individual program element.

Marci explained that levee program has been asked to prepare a Comprehensive Program Evaluation (strategic plan) and to provide input to the 10-year finance plan. She introduced Kate Hansel from the Authority to present the Draft Levee Program 10-Year Finance Plan – Straw Proposal.

#### Finance Plan and Comprehensive Program Evaluation (CPE)

Kate Hansel of the Authority started the discussion on the 10-Year Finance Plan for the Levee Program. A draft of the Levee Program 10-Year Finance Plan – Straw Proposal dated Sept. 29, 2004 was handed out. The finance plan has gone from an Options Report to a Straw Proposal. In November a finance plan will be finalized. The main objective of this process is intense stakeholder involvement. This is the last meeting of the finance team with BDPAC subcommittees. All comments from this meeting will be incorporated into a revised straw proposal. The finance plan will be an informational item at the Oct. 14<sup>th</sup> Authority meeting. On Nov. 17<sup>th</sup> the finance plan will be at action item for approval

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at the Authority meeting. The plan will be revisited from time to time because it is a living document. Marci mentioned that BDPAC members can send comments or speak at the Authority meeting if they choose to do so.

A suggestion was made to clarify dollars spend on habitat improvements versus levee improvements. Funds for habitat improvements come out of Special Projects, not Subventions. Kate will work with DWR to shown funding for dual purposes.

Approximately a year ago, The Bay-Delta Public Advisory Committee (BDPAC) requested that programs show accomplishments instead of just showing how many dollars have been spent. Dave Mraz passed out a handout of a partial listing of CBDA Levees Program Accomplishments.

The issue of Suisun Marsh levees was discussed. The costs and benefits of the Suisun Marsh levees inclusion in the Program need to be evaluated. Suisun Marsh is in the Future Potential Category in the finance plan. The BDPAC Levee and Ecosystem Restoration Program committees would be the right committees to evaluate a marsh-wide program.

A sign-up sheet was sent around for those interested in meeting to further discuss the CPE. Issues going beyond the Risk Study such as subsidence, emergency response, global warming, and boat wakes, etc., need to be discussed. A scope of work will need to be prepared. Curt suggested that the program must address risks, average annual damages, and benefits. An island by island approach can be taken but the system wide approach should not be forgotten. A group of people will get together in the next few weeks to come up with a scope of work for the CPE.

The issue of traditionally splitting the levee funding 50/50 between Subventions and Special Projects was discussed. One suggestion was to leave the existing funding arrangement in place until the CPE is completed. Some changes in the first draft of the finance plan and the current version is Subventions funding went from \$11 million/yr to \$17 million/yr and Special Projects funding went from \$32 million/yr to \$25 million/yr. The finance plan challenges policy and precedent of the 50/50 funding split with the objective of getting the most “bang for the buck” for the levee program.

The Federal funding shown in the charts assumes passage of federal legislation for the levee program. This refers to the \$90 million mentioned earlier in the meeting.

The water user funding would fall into the category of levee improvements, not levee maintenance. The water users are willing to fund the CPE. It should be made clear that the water user funding shown in the charts is hypothetical because water users want to see the completed CPE before they will consider contributing to levee program funding.

## **2. Bay-Delta Levee Program Update**

### Performance Measures Update

Sergio Guillen of the Authority mentioned that the program is working on Performance Measures. The purpose is to show the Authority a description of program accomplishments at the December meeting. A request was made by BDPAC last year for all programs to show accomplishments rather than just dollars spent. Diana Jacobs of DFG indicated that the levee performance measures should indicate how they will incorporate ERP accomplishments.

## **3. Public Comment**

There were not any public comments.

## **4. Adjournment**

The meeting adjourned at approx. 12 noon. The next meeting will be November 5, 2004 at 9 a.m. in the Resources Building, Room 435.