

Draft Meeting Summary
California Bay-Delta Public Advisory Committee
Working Landscapes Subcommittee
February 5, 2004; 9:00 am – 12:00 pm

Subcommittee web site:

<http://calwater.ca.gov/BDPAC/Subcommittees/WorkingLandscapesSubcommittee.shtml>

Subcommittee Chairman Denny Bungarz began the meeting about 9:20 a.m. by requesting approval of the January 8, 2004 Subcommittee meeting summary. The meeting summary was approved as submitted. Introductions were made.

1. Chair's Report

Bungarz noted that the Subcommittee's Co-Chair, Ryan Brodrick has been appointed by the Governor as the new Director of the Department of Fish and Game. Bungarz asked that a memo of thanks from the Subcommittee be prepared and sent to Brodrick. The Subcommittee concurred.

2. Agency Reports

Bay Delta Public Advisory Committee Environmental Justice Subcommittee

Ken McGhee, Environmental Justice Coordinator with CALFED and staff to the Environmental Justice (EJ) Subcommittee, reported that the EJ Subcommittee had prepared environmental justice goals, objectives and performance measures for each California Bay Delta Authority (CBDA) program element. These are in draft form and are posted on the CALFED Environmental Justice website for public review and comment. EJ Subcommittee members are currently shopping these goals, objectives and performance measures with each BDPAC Subcommittee.

McGhee also reported that the EJ Subcommittee is currently reconsidering its open membership status and debating changing to a set membership that is regionally based and representative of the EJ community. He said that the Subcommittee is currently looking for nominations for the Subcommittee, especially from the Delta region, and is also looking for a new co-chair. Margit Aramburu asked if anyone knew how new subcommittee co-chairs are appointed. Heidi Rooks, CBDA staff said that she would check with staff and report back at the March meeting.

McGhee and Ken Trott reported that they would like to move ahead with the planning for a joint EJ and Working Landscapes Subcommittee meeting on water transfers. The Subcommittee agreed that April 1 should be the date for the joint meeting. Trott said that he and McGhee would work with Gerry Johns of the DWR Environmental Water Transfer program to put together a program. Bungarz emphasized the need to be inclusive of various water user communities as well as state and local water agencies. (Note: Subsequent to the meeting, Tom Zuckerman, Co-Chair of the BDPAC Levees Subcommittee, asked that the

April 1 meeting be a joint meeting of the EJ, Working Landscapes and Levees and Habitat Subcommittees.)

BDPAC Watershed Subcommittee

Dennis Bowker, CBDA Watershed Program staff, reported that the Watershed Subcommittee also desires to increase its collaboration with the Working Landscapes Subcommittee. He said that the Working Landscapes Subcommittee's Independent Science Board recommendation for more socio-economic expertise resonated with the Watershed Subcommittee. Bowker invited Co-chair Bungarz to attend the next Watershed Subcommittee to discuss the recommendation and to explore other areas for increased collaboration. He noted that the next Watershed Subcommittee meeting is scheduled for February 20, 2004. Bungarz said that he would accept the invitation.

Delta Protection Commission (DPC)

Margit Aramburu reported that the American Farmland Trust (AFT)/DPC Delta agricultural resources project has been put on hold because of reorganization and budget issues with AFT. She said that they were able to hold one landowner meeting in the Delta prior to the pause in work. She noted that AFT has assigned Ed Thompson to work as California's interim representative, and that she has been talking with him about the future of the project.

CALFED Ecosystem Restoration Program (ERP)

Dan Ray reported that the next cycle of grants is in a bit of a limbo due to uncertainties about the use of Proposition 50 bond funds. The ERP is keeping things moving on their existing projects, including an upcoming review of the Battle Creek project.

CA Department of Fish and Game (DFG)

Dave Zezulak reported that Fish and Game is working with CBDA on programmatic biological opinions milestones for Stage I of the implementation plan. He noted that the milestone exercise is an administrative review, not yet a performance review. He said that completion of the review has a deadline of March 19 and that the review is of 350 ERP contracts with a review of the Environmental Water Account program folded in.

He reported that his staff is working on the preparation of Year 5-8 ERP program work plan. Steve Shaffer expressed his hope that mitigation monitoring was being addressed in program work plans. Zezulak responded that an ERP data base is being worked on that could provide the basis for mitigation monitoring.

Delta Levees and Habitat Subcommittee

Tom Zuckerman reported that he had broached Working Landscapes Subcommittee's recommendation for more socio-economic expertise Independent Science Board with the Delta Subcommittee, and they had expressed interest. The Delta Subcommittee was to meet the next day, and he would try to get them to act on it. He requested an electronic copy of the memo.

Zuckerman commented on the Napa water meeting and concerns that protecting water quality in the Delta was not included. In response, Delta stakeholders organized to raise concerns and investigate initiatives to ensure that water quality needs in the Delta were not being ignored. Much of that effort has centered on a series of meetings at the University of the Pacific (UOP). The next, and probably the last meeting, was to be held Feb. 13. Delta interests are particularly interested in seeing additional water quality monitoring stations, especially one fairly high up the San Joaquin River, to take some of the pressure off the Tuolumne/New Melones system in providing the majority of the flow for the main river. They'd like to see a greater contribution from upstream, with enforcement clauses in agreements.

Tina Cannon, Department of Fish and Game noted that these were very complex negotiations, and CALFED is trying to bring the Napa and UOP discussions back into the CALFED process to avoid the Program spinning off into competing lobbying groups. In response to a comment that Reclamation was arbitrarily failing to meet the WQCP, she noted that one problem with the Vernalis water quality monitoring standards is that actions are based on a water year type which is set to the Sacramento River, and in some years probably not appropriate for the San Joaquin system.

Carol Wright said that environmental justice groups were extremely concerned about being left out of the process and wondered if the issue would be brought up in that Subcommittee.

Zuckerman noted that the Feb. 13 meeting will only be the end of the first step in the process, which will continue to expand in its constituency. Senator Machado's bills highlight a variety of points that must be addressed before pumping can be increased, but it's so broad that it's hard to know what may apply to a particular issue, for example, environmental review.

Steve Shaffer, CDFA asked how the TMDL process meshes in. Zuckerman replied that that process addresses somewhat different aspects. The present process addresses issues more of flow levels and drainage quality, and also includes topics such as flow barriers and pumps to move fish upstream.

Kim Delfino, Defenders of Wildlife said the US Fish and Wildlife Service are going through a review of the Biological Opinion for OCAP, which will impinge on this issue. Zuckerman said that's why they're trying to keep a process going where all these various issues will be folded in together.

Dept. of Conservation (DOC)

Jeannie Blakeslee said that DOC was winding up with the grant process for Watershed Coordinators. It is not known when the money will actually be allocated, but they will be ready to contract it out when it comes.

Ecosystem Restoration Subcommittee

Bernice Sullivan, Friant Water Users Authority described an exercise undertaken by the subcommittee whereby they are trying to identify and state the various ROD interactions likely to occur between the different Subcommittees (their "matrix of synergies and

conflicts”). It has been through several iterations and after a little more refinement they hope to share it with the other Subcommittees and develop it as a tool to identify and hopefully ease developing problems, or take advantage of developing opportunities.

California Department of Food and Agriculture

Steve Shaffer said that the CALFED was going to discuss an integrated water management PSP that will be coming out, possibly in late summer. It will be a \$338 million program to address water management and quality. It will go first to developing regional “profiles”, which appear to be descriptions of current conditions. Then it will be up to local groups to coalesce and develop management plans. The program will be discussed at the CBDA meeting on Feb. 11. Shaffer believes that with many different efforts co-existing, it is increasingly difficult for local groups to respond. Vicki Newlin, Sacramento Valley representative for CBDA said the profiles are being based on Bulletin 160 and the CALFED Coordinators are taking this to the locals. The profiles will be useful in annual reports.

3. Center for Agriculture Partnerships

Larry Elworth gave a presentation about his group’s efforts in decreasing pesticide impacts on agricultural lands. Their approach is to identify situations where change in practices is possible over a wide area, and then develop implementation programs to bring about those changes. Their approach is extensive, rather than intensive, and takes advantage of systems that are ripe for change. They have worked in a variety of crops including apples, cotton and vegetables, in a variety of states. In California, they have worked in the Salinas Valley on vegetables and in the San Joaquin Valley on walnuts.

They work in situations where there is a key pest giving growers problems over a wide area, and a feasible (technically, economically) solution is available. They work where there are strong community organizations such as growers’ or processors groups, or universities. They address their efforts towards private parties such as Pest Control Advisors in particular. They also make a point of building in straightforward measures of economic and biologic performance, so they can demonstrate progress.

Gary Obenauf took up the presentation, talking about a project they have in the San Joaquin Valley on fruits and nuts. Generally, it’s been fairly easy to decrease use at first, but more difficult to maintain or increase reductions. It requires the grower to re-think his risk-management process. He must monitor populations and consider treatment alternatives and the possibilities for reducing rates. The grower community is generally willing to help if data shows them they are part of a problem and there’s a feasible means to address it.

Elworth continued, saying that NRCS can help in the programs because the alternatives tend to require more care and attention from the grower and cost a bit more.

4. NRCS Conservation Security Program

Helen Flach with USDA-NRCS introduced the Conservation Security Program, draft rules for the program were recently released by USDA. This program is fundamentally different from other NRCS programs in that it is an entitlement program, rather than being competitive. This means is that if a grower meets the program qualifications, he/she is entitled to funding, and there is no ranking of candidates. However, the program is

currently funded at \$41 million for the entire nation, so the qualifications, at least at first, are going to be restrictive. CSP differs from other NRCS programs in that it is meant to showcase and reward those landowners that are already doing good and innovative work in conservation, whereas all their other programs work with landowners who need to improve their conservation efforts and help them adopt better practices.

Flach emphasized the importance of providing comments on the program, especially for California or the program is unlikely to work well for growers here. A number of listening sessions will take place in California. The CSP proposed rule was published in the Federal Register on January 2, 2004; comments are due by March 2, 2004. The proposed rule and additional information on the program can be found at:

<http://www.nrcs.usda.gov/programs/farbill/2002/products.html>

5. USDA NRCS/Growers' Forum in the Delta

Zuckerman has worked with CDFG and NRCS staff to plan a half-day workshop where growers could describe typical situations, and then NRCS staff could explain how their various conservation programs might work. The workshop is scheduled for Friday, March 5. Other regions are interested in hosting similar efforts.

6. LESA Analysis for Hamilton City Project

The WLS Subcommittee has been exploring the LESA model over the last few months to determine its utility for determining the level of significance of land use changes on agricultural lands. Hamilton City project is another such case study.

Sara Schultz with the US Army Corps of Engineers gave an overview of the project and presented the LESA analysis for the Hamilton City project in Glenn County. The current plan for the project calls for constructing 6.8 miles of levee, restoring ~1,500 acres of floodplain habitat and removing the existing "J" levee. The "J" levee was constructed in 1904-1906 by local landowners, however it was not constructed to any specific standards, Levee maintenance has been inconsistent and flood protection is unreliable. Adjacent lands are owned by CDFG and USFWS. Local agriculture supports the project.

US ACE conducted a federal LESA analysis on the project, with assistance from the NRCS. Department of Conservation later suggested that they use the State model as well. Both analyses resulted in a score indicating a significant impact on ag land. US ACE is working with State partners on how that will be addressed.

(Note – Tina Cannon has suggested her following comments be added to the summary. "Applying the LESA analysis assumptions that soil resources will be lost to the project shows that there will be a significant impact on ag land. US ACE is working with State partners on whether this is an appropriate CEQA approach in the habitat restoration and preservation context". Further, Ms. Cannon feels that "The outcome was not that LESA determines the impact and therefore how will the "significance" be addressed but rather, is a threshold issue, is an analysis based on LESA's assumptions an appropriate CEQA tool for agencies' habitat restoration and preservation projects on agricultural lands?

At its subsequent meeting in March, the Subcommittee requested that when comments to the minutes are made they be attributed to the one that made them.

The US ACE team felt that in this case, LESA did not account for:

- Benefits to neighboring lands that would receive from increased protection from flooding.
- Land bought from willing sellers.
- Benefits to soils from conversion to native habitat
- Existing flood protection from “J” levee

DFG and CA Farm Bureau representatives disagreed over the appropriateness of the use of LESA in situations where the conversion was to uses other than urban, such as to habitat. Others felt that LESA was a good first screen for projects to see whether there was a need to take a closer look. Chairman Bungarz said they should all come to the Levee Festival in Hamilton City and get some good Mexican food.

7. CALFED Science Conference

Pat Akers of the Subcommittee staff reported on the staff’s proposal to the CALFED Science Conference Coordinating Committee for a special session. This is the first time the Conference has Special Sessions, where a group of speakers can attempt to integrate a body of knowledge on a topic. Though the possibility was identified only a week or two ahead of the application deadline, we identified a topic on “Collaborative Processes in meeting CALFED Goals”, gathered a core group of three to four UC sociologists that were eager to pursue it, and developed and submitted the application by the deadline, Jan 23. The Conference organizers expected to make the decisions in the next few weeks; they received a large number (about 20) of applications. (NB – we have heard from the organizers and our Session wasn’t among the ones selected; however one of the conference themes is “Human Consequences” which they explain is “science that explores the potential social, economic and public health effects of the Bay-Delta Program’s actions and solution strategies. More information on the conference can be found at: <http://iep.water.ca.gov/calfed/sciconf/2004/>

8. Payment of In Lieu Taxes Workgroup

The next meeting of the working group was to occur in the next few days, on Feb. 20th.

9. Public Comment

Shaffer commented that he has been meeting with state and federal parties in an attempt to leverage federal dollars for EQIP, “Conservation Innovation” grants (interim rules are due out at the end of February) or other appropriate means. Potential state match could come from CALFED ERP funds and agricultural water quality funds.

Next meeting: Thursday, March 4, 9:00 – 12:00.