

Technical Advisory Committee Meeting (TAC) Notes – December 3, 2007

Chair – Ajay Singh

Ajay Singh opened the meeting with self introductions. The following were in attendance: Aric Lester, Lady Bug Doherty, John Merz, Rebekah Funes, Denise Reichenberg, Dan Efseaff, Tom McCubbins, Mark Teague, Gregg Werner, Scott Rice, John Merz, Woody Elliott, Tricia Parker, Sheli Wingo, Craig Isola, Mark Kenyon, Kelly Moroney, Matt Hamman, Ron Warner, Delbert David, Jeff Sutton, Ashley Indrieri, Scott Clemons, Greg Golet, Ryan Luster, Scott Friend, Beverley Anderson-Abbs, Josh Brown and Ellen Gentry.

Announcements

Bidwell Mansion Christmas tours are being held. The mansion is closed on Monday; please call for an appointment.

The 9th Annual Snow Goose Festival begins January 25-27 at the Chico Masonic Family Center, 1110 W. East Ave. Register at snowgoosefestival.org, or call 345-1865. First come, first served.

Activity Reports

Jeff Sutton, Tehama Colusa Canal Authority (TCCA), gave an update on the Draft EIS/EIR. According to the EIS/EIR, there are five alternatives: 4 month gates in with improved fish ladder, 4 month gates in with bypass, 2 month gates in with improved ladder, 2 month gates in with existing ladders, and gates out (permanently non-diverting). The EIS/EIR states the purpose of the project is twofold: to improve the ability of fish passage and to improve moving water into the Tehama Colusa and Corning canal systems. The dam and the lake formed by the dam, Lake Red Bluff, are owned and operated by the Bureau of Reclamation. TCCA maintains the unit. Both are part of the Sacramento Canals Unit of the Central Valley Project, and were designed to provide irrigation water in the Sacramento Valley, mainly in Tehama, Glenn, and Colusa counties.

Jeff reported that water users, the environmental community, and resource agencies are working together to provide a solution. Lake Red Bluff, which provides local economic and recreational values, could be lost and is a cause for concern if the gates go up permanently. Mitigation issues and other economic opportunities are being discussed. Ron Warner, Tehama County Supervisor, noted the dam is situated within the City of Red Bluff and is a City Council issue. He also noted that communication has improved.

Following consideration of public comments, the co-lead agencies will jointly identify a specific project to carry forward. Jeff will send the final EIS/EIR document to the SRCAF and provide information as it becomes available. After the final document there will be a 30 day comment period. To view the document, go to: www.usbr.gov/mp/nepa, click on Northern CA Area Office and go to item #8 (Red Bluff Diversion Dam Fish Passage Project).

Scott Rice, URS, updated the group. The Ayres erosion site report is not yet complete but will be made available when it is. Of the 17 2008 critical sites, two are in the Conservation Area: RM83.9 (Fremont weir) and RM177.8R (erosion site). More information will be provided on the sites and there will be an opportunity to comment. The RM182 mitigation site is being assessed. DWR will also be looking into the rocking that is occurring at Phelan levee, which is not a critical erosion site. Updates will continue.

Following a Mitigation Workshop last August, a summary report was sent requesting feedback from participants for future follow-ups. Copies are available. Follow-up meetings will be coordinated with the Forum. Beverley will have information available on the website at www.sacramentoriver.org/srcaf and will email receipt of information ASAP.

Ron Warner will relay more information on the location of the rock being placed in the river near Wilcox in Red Bluff. He also asked about contact information to discuss a private cantilevered deck over the bank in the City of Tehama. This deck is anchored at the top of rock work. No permits were taken. Lady Bug said she would check.

Lady Bug asked about DWR's obligation to stop bank erosion in front of Phelan levee, a private levee, suggesting the Reclamation Board may wish to overrule DWR's position. Technical information was requested by the TAC group (i.e., an interest needed to protect the levee could be shown through hydrological modeling). It

was recommended that the Reclamation Board not politically override DWR. Liability and costs are also issues because of state funds. Impact on flow and capacity are ongoing discussions. Ashley Indrieri, FWA, felt that if it is not functioning as designed, it constitutes as a “taking”. She defined “taking” as flooding land longer than planned. Lady Bug will bring more information to the group. The Field Action report is available on the SRCAF website.

Scott Friend, PMC, gave a brief overview on the Tehama County General Plan. The background report has been out to the public since July, The Planning Commission has been meeting every Thursday since September. After 150 property owner requests for changes, maps are now started. The EIR will be prepared in mid to late summer, 2008, after Planning Commission approval of a final document. The Draft Report, General Plan, and a series of maps are available online: www.tehama.gp.com.

The current plan established five planning areas, maintaining and retaining growth in Tehama County (currently 61,000) and preserving the valley floor and upland agriculture designations. The plan allows growth potential of an additional 12,000 and the valley ag area has expanded crop area from 160 to 260 acres. There is some discussion of replacing Jellys Ferry Bridge and road way crossings, but nothing else functional is anticipated along the river. Additional reports to the TAC were encouraged during the next couple of months.

Marc Kenyon, DWR, reported on the Landowner Incentives Program - an on the ground project for threatened or endangered species that seeks to restore and manage riparian buffers. Approximately 94% of the Central Valley (CV) is privately owned and 99% of its historic riparian habitat has been lost. The LIP ag riparian buffers initiative provides funding to restore riparian buffers on marginal or flood prone farmland/rangeland, annual incentive payment to idle farmland and to manage habitat, and technical assistance to restore and manage riparian buffers. Eligibility criteria included: private ownership within the CV located adjacent to the Sacramento or San Joaquin Rivers, grazed or planted cropland/orchard in three of the previous five years, ability to provide a 50-200ft. buffer, willingness to exclude cattle, and a willingness to enter into a 10yr. agreement with DFG. Restoration is funded 100% by WCB. Incentive payments are annual for a 10yr. duration, based on current land rental rates and habitat management costs, up to \$400/ac/yr. Benefits to wildlife and farmers include: providing habitat for 42 at risk species, creating habitat corridors between existing riparian areas, reducing erosion, filtering pollutants and capturing and reducing flood debris. Landowners can also go through NRCS as a partnership. For more information contact Mark at (916) 445-3515, mkenyon@ducks.org, or go to www.dfg.ca.gov/land/lip or www.sacramentoriver.org/srcaf.

Lady Bug questioned communication with landowners since few were in attendance at today’s meeting. TNC and USFWS reported good, direct rapport with landowners onsite. Networking is providing good outreach and landowners and their interests are being represented.

Current Projects/Updates

Dan Efsseff, River Partners, reported on the Reclamation Board’s approval, November 16, of the encroachment permit on the Del Rio Wildland Preserve. Although the permit prohibits the planting of elderberry, the Board did leave open the possibility for consideration at a later date. Dan expressed his gratitude for letters sent in support of the project. Also, Eagle Scouts and volunteers will be doing some planting on two acres at Del Rio.

Greg Golet gave a PowerPoint presentation of two areas combined and selected by the Colusa Subreach Advisory Workgroup for investigation re: increases of regulatory effects and increased pest effects. Four hundred fourteen (414) acres were proposed for restoration in the Subreach from fallow or ag land to riparian habitat within flood control levees. The goals characterizing existing pest effects included: identify differences in effects between farms adjacent to habitat vs. those adjacent to other farms, identify changes in effects resulting from past restoration, assess potential effects of proposed restoration projects, and identify solutions to reduce any agricultural effects. Environmental and species protection laws and regulations were considered. There is potential for ag operations to result in “take” of legally protected resources.

Of 14 laws and regulations studied, only 3 laws have potential to become more restrictive as a result of Subreach riparian restoration: ESA, CESA and fully protected species provisions of DFG. Of 14 species known, or with potential to occur in the subreach, ten are unlikely to have related increased regulatory constraints;

constraints may increase for four species. For bird species, potential constraints are limited to activities involving removal of nest trees with chicks. VELB potential constraints are limited to activities less than or equal to 100 ft. of elderberry shrubs with stems of greater than or equal to one inch ground level diameter that could result in take of such shrubs.

The pest effects summary included high priority crops in the Colusa Subreach. Priority pest species included vertebrate pests, insects, and other invertebrates. Many pest species identified as high/medium priority are not expected to increase in population; some species may decrease. Of the species that have potential to increase in either population or damage, the change is expected to be small because riparian habitat acreage will increase by less than 8%. A high percentage of the perimeter of proposed restoration areas border either existing riparian habitat or levees. Farms that adjoin proposed restoration sites will undergo small changes depending on how much of their borders adjoin habitat.

Twelve pest species are not expected to change in population size or crop damage with riparian restoration. Pests that may increase in population and crop damage with riparian restoration include the CA ground squirrel, CA vole, and the Lygus bug; however most of these effects are expected to be transitory. Potential solutions for increased regulatory constraints with restoration are included in the design. Potential solutions for increased pest damage to crops with restoration include pest prevention, pest abatement, and coordination with neighboring property owners.

The draft report is currently available for review at www.sacramentoriver.org/srcaf. A full presentation will be made by EDAW at 1:30PM, December 10 at Colusa Industrial Properties Visitor's Center (at 10:00AM, a presentation will be made on the hydraulic analysis for eight restoration sites in the project at the Colusa Industrial Properties meeting room). Please send comments on the draft report by January 7 to Greg Golet, TNC Northern Central Valley Office, Chico, CA 95928. A final report will be available February 18.

New Projects or Proposal Review

TNC reported waiting for acceptance on the Codora Unit Grant Proposal (Project Tracker #130) request for funding. Details will be provided if and when it is funded. TNC was comfortable that the project was consistent with the SRCAF Handbook. The TAC Chair recommended the project go before the Board for recommendation. Beverley noted that SRCAF Board policy states that prior to funding requests, proposals should be entered into Project Tracker before coming to the TAC. Projects may then be addressed to the SRCAF Board.

Programmatic Safe Harbor/Voluntary Local Program

Josh Brown, SRCAF Resource Conservation Assistant, reported SRCAF will be the administrator of a combined Programmatic Safe Harbor Agreement/ Voluntary Local Program. These are voluntary agreements between USFWS/DFG and cooperating non-federal landowners to relieve cooperating landowners of liabilities under ESA (for both state and federally listed species), provide certain regulatory assurances and to promote restoration. Components of the agreement were reviewed, as well as the seven species to be covered (VELB, giant garter snake, western pond turtle, Swainson's hawk, bank swallow, willow flycatcher and western yellow-billed cuckoo). Collective management activities are expected to provide a net conservation benefit to species. Baseline conditions will be determined by a survey of the enrolled property, conducted by qualified people. A monitoring plan is included. The Agreement will be in effect for 30 years. Cooperative agreements developed will be in effect for at least ten years. Returning to pre-agreement conditions at term of the permit is authorized. The program will be discussed at the SRCAF Board meeting later this week, a Public Information meeting will then be scheduled and a federal register notification and comment period will follow. Signing of the agreement is anticipated mid-2008. Outreach to landowners to sign on will begin ASAP. Details are being worked out to give protections to levee districts overall. Currently there are three Programmatic Safe Harbor agreements; Cottonwood Creek Watershed, Yolo County, Mokolumne River, and one combined SHA/VLP being developed; Rangeland Coalition, as well as ours.

Next Meeting Date and Location

The next TAC meeting was scheduled for Tuesday, January 8, 9:30AM, at Willows City Hall.