

Action Items

6/1/09	Facilitator	Organize meeting on pipeline
7/1/09	Anne Crealock	Determine date for July meeting with Interfluve

Meeting Overview

- Advisory Group members discussed issues and concerns with the consultants, pipeline alternatives, access, and Corps releases. Staff were available to address issues of concern and answer questions.
- As an outcome of this meeting, members and HDR Engineering will hold a working session to discuss pipeline location alternatives.
- The Facilitator Gina Bartlett will investigate membership options for the agencies given regulatory issues associated with the Federal Advisory Committee Act.

Upcoming Meetings

July Pipeline Workshop (exact date to be determined)

July Meeting with Interfluve during Field Visits (exact date to be determined)

Issues & Concerns

Advisory Group members identified issues and concerns on a range of topics: Corps Releases; Interfluve/Habitat Enhancement; Pipeline Alternatives; and Summertime Access. After identifying the issues, someone from the appropriate agency was available to respond to identified concerns. Lastly, the Advisory Group agreed on what action or next step would be appropriate.

Corps Releases

DCAG Issues & Concerns

- Winter-time releases (flood prevention)
- Fluctuation rate: effects on wildlife and erosion
- Summertime low flows

Mike Dillabough, US Army Corp of Engineers

The Corps' primary objective is to protect the dam and prevent flooding, as codified in the Water Control Manual. Dillabough reports that this manual is very difficult to change. Lake Sonoma water (behind the dam) is basically considered in three pools or levels.

1. Flood Control Pool: In the Corps' Authority to protect the dam (on "top")
2. Water Supply Pool: Controlled by SCWA with California Department of Fish & Game (middle)
3. Minimum Pool: Left alone, water is not used (on the "bottom")

During the winter, the Corps releases water from the flood control pool to be ready to store water in the event of large storms. In October, the Corps typically does a release to prepare for impending rains.

What about impacts on land downstream? Old dam technology did not allow slow releases. This created significant impacts on land downstream. Now, the Corps has controlled gates that can release water at 5 cubic feet per second increments, gradually increasing or decreasing releases. The Corps is striving to avoid washing away land.

The Corps annually inspects the inside of the dam. Members requested that the Corps alert owners before big releases or post big releases on the web. All data are posted on the web.

How much sedimentation is in Lake Sonoma? The sediment pool is not full. The sediment pool, designed for 100-year life, is in its 30th year of use. The Corps typically doesn't budget for a sediment study until at least the 50-year mark. The Corps would reconsider if a high level of sediment was being released; the Corps has not observed this. Another person suggested that watershed management above the dam could have significant effects on reducing sedimentation in the Lake.

The Coyote Dam sedimentation pool is full.

Interfluve / Habitat Enhancement

DCAG Issues & Concerns

- Lack local expertise (fish and geomorphology)
- Lack experience on similar creeks/watershed
- High releases washing away work
- Lack experience with creek gravel mining
- Timing of access
- No local office/presence to engage landowners
- Range of experience or suite of approaches for Dry Creek is unclear

Dave Manning, Sonoma County Water Agency

As a result of the discussion, Dave Manning will serve as the intermediary between the Advisory Group and Interfluve. Interfluve is scheduled to be at the next several meetings of the Advisory Group. However, they will not be able to attend every meeting. In those sessions, Dave Manning, who is a biologist, will commit to communicating any concerns back to the Interfluve team.

The Sonoma County Water Agency has extensive experience on fisheries locally. They have 10 full time staff working in this area and six biologists with advanced degrees.

A team participated in the initial interviews that subsequently chose Interfluve as the consultant. The team felt strongly that Interfluve was the best candidate and really stood

out. Bill Hearn participated in the interviews and affirmed that Interfluve was very impressive. Interfluve has substantial experience in geomorphology dealing with high flows. Dave and several others went on site visits recently with Interfluve and were greatly impressed by the work. A major strength, from Dave's perspective, is that Interfluve is adaptable and has been successful in many different challenging conditions. The conditions may not exactly mimic Dry Creek, but across the many projects, they have successfully done habitat restoration in complex situations.

Lastly, Bill Hearn said that NMFS will have a Ph.D. Fluvial Geomorphologist involved to help make sure that projects won't get washed out.

Pipeline

Issues & Concerns

- Alternative alongside creek
- Potential permit for pipeline could lead to another pipeline
- Wastewater pipeline in same ditch
- Pipeline will proceed regardless of restoration success
- Pipeline to Asti
- Size of pipeline so flood releases need to be put of pipeline

Anne Crealock, Sonoma County Water Agency

Anne Crealock explained that the California Environmental Quality Act process requires that the Water Agency consider a very broad range of alternatives initially for any project. Currently, the Agency is considering pipeline routes that include combinations of any roads and access roads in the area. These alternatives will be analyzed briefly and then narrowed to three reasonable alternatives to be studied in an environmental impact report (EIR). During the environmental impact analysis, each of the three alternatives will be analyzed in terms of cost, impacts to agriculture, biological resources, traffic, etc.

Members asked that the Water Agency consider an alternative cutting across to Asti. Another member questioned taking soil samples and conducting other expensive technical work if an alternative isn't very practical. Anne Crealock responded that some tests may be necessary, even for alternatives that may not seem practical, to demonstrate that all possible alternatives were considered. Another member reminded the group that the pipeline would only get built if the habitat enhancement didn't work.

Outcome: Members requested a workshop with HDR Engineering to find out exactly what potential pipeline routes are being considered and give input on them and then consider making recommendations for what they would like to see studied in the EIR. Staff will share the full list under examination and consider these recommendations.

Access

DCAG Issues & Concerns

- Wetland delineation clause

- Pipeline alternatives
- Type of access-easement
- Technician might document illegal wells
- Could lead to quantification of pumps and wells.
- See some historical work that is now illegal and report it i.e. bank stabilization. “indemnify landowners from current/preexisting conditions

Kevin Campbell, SCWA

Kevin Campbell reported that 65 of 149 owners along the creek (40%) have granted access for summer exploratory work. Ten landowners have said that they would not allow access. The Water Agency anticipates that they will get close to 80% with additional outreach.

The wetland delineation clause has been removed; it is not necessary for this work. Two owners said that access was fine, excepting work related to the pipeline. Each person’s access can be tailored to address the owner’s needs.

The Water Agency indemnifies landowners. The technicians are not looking for wells or anything else. Old cars along banks and other bank stabilization techniques, which would no longer be allowed, will not be reported. Owners are indemnified against anything of this nature, and most of these conditions would exceed the statute of limitations.

Fish Studies

Greg Horton, SCWA

The first counts from the fisheries work are available. Greg Horton will continue to update the group. The biologists use a screw trap on Westside Road, just near the bridge. They collect Chinook, steelhead and Coho in a fish collection box.

This data will be collected throughout the life of the Biological Opinion.

Since Early April, they have caught:

- 9423 Chinook Smelts
- 394 Steelhead
- 513 Coho

Charter Discussion

The group reviewed the charter. As an advisory group, participants questioned if they would really be negotiating. For example, if three pipeline routes are under consideration, what would the group negotiate? The facilitator said that the group might think about and make recommendations on which pipeline alternatives should be studied under environmental review. Recommendations are decisions that the group has to make. These decisions require a negotiation.

Consensus: The group is a consensus-seeking body. The goal is to develop outcomes that everyone can, at the very least, live with. A stand-aside is when a stakeholder feels that s/he does not like the decision, but is not willing to block or stop the decision from moving forward. A decision with someone “standing aside” constitutes a consensus decision.

Absence during Decision-Making: The goal of this effort is to make decisions that as many members as possible can support. If a member is unable to participate in a meeting in which a decision will occur, several things might occur:

- The person can summarize their interest and concerns for the facilitator to represent.
- The person can ask another representative to participate and discuss his or her perspective.
- The decision can be deferred to another meeting.

One job of the facilitator is to make sure that decisions do not go forward in the absence of a member who might not support it. However, decisions must be able to move forward in a timely fashion. Members must be responsible for sharing their comments in advance and alerting the facilitator about any possible concerns with a potential decision.

Media: Everyone agreed that they would refer the media to individuals. Individual members would state clearly that s/he was speaking as an individual, not for the group.

Agency Voting: Bill Hearn expressed concern that NMFS and other federal agencies cannot be voting members because providing / receiving advice triggers the Federal Advisory Committee Act. Bob Coey was concerned about the implications for California Department of Fish & Game. Several members suggested that the agencies be “non-voting” participants. Facilitator Gina Bartlett expressed concern about the agencies not being formerly part of negotiations. She committed to exploring other similar groups and presenting a proposal to balance these interests at a subsequent meeting.

Future Agenda Items of Interest

- Local guide for changes on creek small bank stabilization “operations minimal for landowners”
- County agency – access and bike routes with willing landowners

Dry Creek Advisory Group 2009 Meetings

Meetings on Wednesdays | 3:00-5:30

July 8 or 15

Special Workshop—Pipeline Alternatives

Week of July 20 (date TBA)

Creek Visit with Interfluve

Fish Study Results: Smelt and Fry Traps
(Available in July)

[Interfluve to meet with landowners during

<p>this period]</p>
<p>August 5 InterFluve: Report on Preliminary Insights from Summer Activities HDR Engineering: Pipeline Feasibility Report Update</p>
<p>November 4 InterFluve: Draft Report on Current Conditions Fish Survey Results: Juvenile Population (Available in October)</p>
<p>December 2 Draft Pipeline Feasibility Study</p>

<p>January -- Early Spring 2010 Fish Survey Results: Chinook Spawning (Available in December) InterFluve Phase 2 Study (Feb or March) Pipeline Engineering Study (Feb or March) Conduct Briefings with Constituents Alternatives for Environmental Impact Report</p>
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