

**DRAFT Meeting Summary
Yolo Bypass Working Group
Integrated Regional Water Management Plan (IRWMP) Subcommittee
Meeting 2
February 26, 2007
3:00 PM – 6:00 PM
Yolo Bypass Wildlife Area Headquarters
45211 County Road 32B, Davis**

IN ATTENDANCE: Robin Kulakow, Yolo Basin Foundation (Foundation)
Dick Goodell, Glide-In Ranch
Tom Schene, Glide Tule
Tasmin Eusuff, Department of Water Resources (DWR), Division of
Planning and Local Assistance (DPLA)
Dave Feliz, DFG, Yolo Wildlife Area
Selby Mohr, Mound Farms
Mike Hardesty, Reclamation District 2068
Ron Tadlock, Yolo Bypass Farmer / Landowner
Marianne Kirkland, DWR Division of Environmental Services (DES)
Jacques DeBra, Water Resources Agency of Yolo County (WRA)
Dave Scheuring, WRA
Donna Gentile, WRA
Julia McIver, Yolo County
Phil Martinelli, Channel Ranch
Michelle Ng, DWR Division of Flood Management (DFM)
Regina Cherovsky, Conaway Ranch
Bob Schneider, Tuleyome
Ann Brice, Foundation
Dave Ceppos, Center for Collaborative Policy (CCP)
Conor Dupre-Neary, CCP

Introductions and Agenda Review

Dave Ceppos gave an introduction about the development of the IRWMP Yolo Bypass Working Group Subcommittee, including the background and purpose of the overall IRWMP process and the Subcommittee specifically. He described the CCP proposal provided to the WRA and DWR DPLA regarding the structure, approach, meeting frequency, etc. of the Subcommittee. He reviewed the meeting participants and noted that with the exception of a few members (Robert Eddings, a DFG Fisheries representative, a Ducks Unlimited representative), the Subcommittee (or proposed alternates) was largely present and that he felt the group could continue the meeting (absent any ratified governance rules). He also reminded the group that a principal purpose of tonight's meeting was to review and revise the Subcommittee's operating rules

Michelle Ng announced that she is moving to a new position in DWR and that a new representative from DWR DFM will be assigned to this process

Discussion of Subcommittee Makeup

Mr. Ceppos reviewed the recent sequence of comments and input from a specific stakeholder about the proposed makeup of the Subcommittee. He further described that there has been

feedback from this stakeholder requesting the addition of a Recreational Fishing and Fishery Interest advocate. He stated that he supports this idea, has make this recommendation to DWR DPLA (funding entity for the Subcommittee), and that the Subcommittee needs to address and if feasible, resolve this today.

Public Comment

Mr. Schneider stated a request for a non-governmental organization concerned with fisheries (sport fishery) to be part of the Subcommittee. He stated that he believes the current fisheries representatives on the Subcommittee are inadequate to fully represent the broader interests of many diverse stakeholders since the current representatives are from State agencies (DFG, DWR). Mr. Schneider also stated a request for a seat to be filled by a West Sacramento representative (either a local government employee or local citizen). He believes that the City of West Sacramento is a key stakeholder in Yolo Bypass (Bypass) decision making, particularly regarding recreation and flood management issues and that they need to have a voice in this effort. He further requested a seat for an environmental justice (EJ) group to ensure that less advantaged stakeholders associated with the Bypass also have a voice in the process. He lastly stated that perhaps a representative from the City of Davis be considered as well. He concluded by stating that the fishery issue is the key interest though.

Mr. Scheuring stated his and the formal support from the WRA Board for the Subcommittee to determine its appropriate membership. He stated that WRA will not intervene in this decision process and that the approach thus far is sound and appropriate as far as WRA is concerned.

Subcommittee Discussion

Mr. Mohr stated that there are several IRWMP Subcommittees (or similar groups) throughout the County. He stated there need to be some 'boundaries' decided about what is a regional issue to be addressed by a larger body responsible for the whole IRWMP, and what is reasonable to expect a geographically specific group (like this Subcommittee) to address. He does not fundamentally disagree that a non-governmental fisheries representative should be involved however he does not support it being filled at the Bypass Subcommittee level.

Ms. McIver stated that her understanding of her role representing the County was to act as a liaison to the surrounding local governments such as the Cities of West Sacramento and Davis. She further stated her understanding of her role was that the County is the only local government entity with jurisdictional land use authority for the Yolo County portion of the Bypass; the surrounding cities do not have that authority. Mr. Ceppos confirmed that was the basis of the County's role as he had envisioned it in his original proposal to DWR DPLA for the Subcommittee structure and in the subsequent Operating Rules.

Ms. Kulakow stated that she has spoken directly with the recreational planner from West Sacramento regarding proposed recreational projects related to and located in the Bypass and adjacent to the City. The planner has stated that this is not a priority for them at this time and they would not be inclined to have a representative on the Subcommittee, but would rather like to be kept informed as issues are discussed. Mr. Feliz followed up, stating that currently and for the foreseeable future, the DFG Wildlife Area provides the only public access into the Bypass and that such topics are appropriately represented already on the Subcommittee.

Mr. Tadlock stated that as a landowner, they have fought long and hard to keep undesirable people off their property. He believes that increased recreational access in the Bypass and

adjacent to private property like his will only increase an existing problem of vagrancy, dumping, drug use, etc. He does not want advocates for such options to have a direct seat on the Subcommittee. Ms Ng reiterated Mr. Tadlock's concern and said that the State has similar concerns regarding the security of the adjacent levees.

Mr. Mohr reiterated that this Subcommittee is 1/7th of the overall situation anyway and confirmed that by design, all interested stakeholders are being noticed about Subcommittee and full Working Group meetings anyway and that they are being given at least those two opportunities to provide their input for Subcommittee and general public consideration. He therefore questioned the need to add additional seats at this time. Mr. Martinelli supported this perspective and questioned the need to add an additional seat to the Subcommittee.

Mr. Schneider asked to speak further and reiterated that he does not feel comfortable with the direction he hears the Subcommittee taking. He feels it is inappropriate to exclude the adjacent local governments. He further stated that while he continues to support the involvement of an EJ representative, he acknowledged that EJ could be handled by the full WRA.

At this point in the discussion, Mr. Ceppos took a straw poll of the Subcommittee on the following topics.

How many Subcommittee members are in favor of adding a non-governmental fishery interest?

- No Subcommittee members supported this suggestion.

How many Subcommittee members are in favor of adding a City of West Sacramento interest?

- Ms. Kirkland stated an understanding and general support that such a position should be considered.

How many Subcommittee members are in favor of adding a City of Davis interest?

- No Subcommittee members supported this suggestion.

Mr. Ceppos suggested that there should be a more specific format / method to formally ensure that communication is taking place between the County representative and the adjacent Cities. He committed to work with Ms. Kulakow and Ms. McIver to address this. The Subcommittee supported this suggestion.

Mr. Ceppos also offered to conduct more aggressive outreach to broader stakeholder types such as subsistence anglers using the Tule Canal/Toe Drain and to coordinate such activities with similar efforts by the State Department of Health Services and others. He committed to developing a "game plan" on how to proceed with this. The Subcommittee supported this suggestion.

Discussion of Proposed Subcommittee Operating Rules

Mr. Ceppos handed out copies of the proposed Operating Rules to the public attendees. The Subcommittee had already received them via email. He stated that Ducks Unlimited has contacted him in response to his inquires and that they have stated they are interested but too busy currently to participate. He concluded his opening comments by stating that every proposed seat on the Subcommittee is filled with exceptions of Duck Unlimited and the DFG fisheries staff person.

Subcommittee Discussion

Section 3.6 – Member Attendance: The text should be adjusted to state “*Members that miss and do not arrange an Alternate for any more than one Subcommittee and/or one Working Group meeting can (rather than “will”) be subject to replacement by the Subcommittee.* It was also suggested that there should be a target of 5 days notification period regarding potential missed membership.

Section 4.3 – Yolo Bypass Working Group: The frequency should be changed from “quarterly” to “regularly”

Section 4.5 / 4.6 – Role of Chairpersons and Working Groups (respectively): Mr. Ceppos reviewed some options related to the topics. The Subcommittee generally agreed that for now, the role of the facilitator and the Foundation suffice for Subcommittee direction. If this is deemed ineffective in the future, the group withholds the right to revisit and revise this approach. Mr. Ceppos stated that there should be some more explicit text in the rules regarding the Foundations dual role as stakeholder and administrative representative of the entire Subcommittee.

Sections 4.7 / 4.8 - Role of WRA Technical Committee and Board. Mr. Ceppos described his rationale for including these place holders as allowing the Subcommittee to communicate, in a non-binding way, their expectations of how these related groups will work and interact with the Subcommittee. It is essentially a method to memorialize expectations. The Subcommittee supported this idea and tasked Mr. Ceppos with addressing proposed text.

Section 5 – Decision Making: Considerable discussion and inquiry took place by the Subcommittee. Some Subcommittee members initially favored Option 2 as seemed more likely to allow for multi-faceted discussions. Some members discussed the benefits and drawbacks of allowing a member a “middle ground”. Mr. Ceppos advised that such “middle ground” is needed to allow any party to be neutral when desired. Such a middle ground still requires further discussion and work by the group to problem solve.

In the end the Subcommittee generally favored Option 1. The group also held out the option to revise this approach in the future if warranted. They also asked Mr. Ceppos to add text mandating each member to ensure they are voting commensurate to their prescribed role and responsibility and that each member is responsible to reconcile competing interests within those roles. Mr. Schneider requested that the Operating Rules be made public so everyone has an option to review them and provide comments. Mr. Ceppos advised that this is reasonable now that the Subcommittee has had a chance to initially review and discuss the document.

Due to time constraints, the group decided to table further discussion of the Operating Rules to a follow up meeting and to proceed with the next agenda item.

Discussion of Bypass Action Prioritization

Mr. Ceppos directed the Subcommittee and public’s attention to two handouts: 1) A modified list of projects currently in the IRWMP, and 2) a list of new project ideas from the January 30 Working Group meeting and similar discussions. He proposed that the Subcommittee needs to address which projects should be advanced for future IRWMP consideration, and that due to the WRA’s pending completion schedule for the entire IRWMP, the group needs to develop at the least, an interim prioritization method. He further proposed that rather than conducting a sequential ranking of all projects, it would be more efficient and appropriate to categorize

projects into a list of : High, Medium, and Low priority. Lastly, he directed the group's attention to previous comments submitted to WRA from the DFG Wildlife Area and the Foundation about the draft IRWMP.

Public and Subcommittee Joint Discussion

Mr. Schneider raised a concern regarding item. 7 from the 'new ideas' list – "*Yolo Bypass levee and channel improvements to increase flood flow conveyance*". There was further discussion as raised by Mr. Hardesty that flood conveyance and management project options are conspicuously absent from the current list of Bypass projects, particularly since the primary function of the Bypass is to serve conveyance regional flood safety needs. Projects need to be proposed and prioritized relative to what serves the Bypass function and what is therefore doable in the Bypass. The group discussed this further and generally acknowledged that new ideas need to be brought forward and that some ideas like item 7 on the new project list may be better served as "foundational actions" in the overall IRWMP, rather than specific to the Bypass Subcommittee's recommendations. A participant asked if items 7 and 2 from the new projects list could be merged. Discussion ensued regarding the activities already underway and planned for a Lower Bypass collaborative group.

The group proceeded to review each project and update them as currently known. They tasked Mr. Ceppos with revising and re-distributing the lists for further review and prioritization. Mr. Ceppos proposed that if subsequent feedback showed general agreement on the priorities, he would modify text as appropriate and would submit the projects directly to the WRA on behalf of the Subcommittee. If conversely, it appeared there were significant differences, he would intervene with the conflicting members to try to find a resolution. This effort could potentially require a full Subcommittee conference call. The Subcommittee agreed to this approach.

Mr. Schneider asked about how public comments about revisions will be memorialized. The Subcommittee acknowledged this as a concern but generally agreed that the meeting summaries from their meetings, in concert with the WRA's responsibility to make all draft documents available for public review and comment should serve this issue. Mr. Schneider also closed the meeting with a comment complementing work Ms. Kulakow and Mr. Ceppos have done thus far to organize this effort.