

bdcpcomments

From: Robin Kulakow [robin@yolobasin.org]

Sent: Wed 5/13/2009 4:25 PM

To: bdcpcomments

Cc: lois.wolk@sen.ca.gov; Mariko Yamada; Jim Provenza

Subject: Comments for BDCP EIR/EIS

Attachments:  YBF Position on Fremont Weir 4-8-09 .pdf(142KB)  ATT127801.txt(180B)  DE Op-Ed 4-26-09.pdf
(113KB)  ATT127801.txt(187B)

Hello: I would like to enter the attached documents into the public record as comments from the Yolo Basin Foundation. These documents are in addition to our comments submitted at the Davis Public Scoping meeting:

The first document is a statement of the position of the Yolo Basin Foundation. Please address the adverse impacts and suggested actions listed in this document in the EIR/EIS.

<<YBF Position on Fremont Weir 4-8-09 .pdf>> <<ATT127801.txt>> <<DE Op-Ed 4-26-09.pdf>>
<<ATT127801.txt>>



Yolo Basin Foundation Proposal to Create a Yolo Bypass Conservation Measure for the Bay Delta Conservation Plan

The Yolo Bypass consists of a diverse mix of agriculture and wetland habitats in the North Delta. It is the location of the Department of Fish and Game's 16,000-acre Yolo Bypass Wildlife Area, which utilizes agriculture to help provide wildlife habitat for thousands of animals in a way that is compatible with the flood control function of the Bypass. It is home to many threatened and endangered species and provides a wildlife viewing, environmental education, and waterfowl hunting destination, as well as simply a peaceful place to enjoy open space, all within sight of the State Capitol.

Yolo Basin Foundation believes that a key Habitat Conservation Measure as currently described in the Bay Delta Conservation Plan will have adverse impacts on this outstanding regional treasure.

The proposed measure is Floodplain Habitat Restoration Conservation Measure (FLOO1.1): "Modify the Fremont Weir and the Yolo Bypass to provide for a higher frequency and duration of inundation." The stated goal is to create an operable gate to sustain flood flows into the Bypass for 30-45 days between December 1 and May 15 to create flood plain habitat for Chinook salmon and Sacramento splittail.

This measure would seriously affect the ability of Fish and Game personnel to manage the Wildlife Area in accordance with the Yolo Bypass Wildlife Area Land Management Plan adopted in 2008 and other foundational agreements, including the US Army Corps of Engineers Operation and Maintenance Manual and MOUs signed by flood control and wildlife agencies in 1994. It would:

- effectively eliminate the current agricultural activities in the Wildlife Area which provide thousands of acres of wintering waterfowl habitat while generating an important income stream for the management of the Wildlife Area;
- curtail all public use on the Wildlife Area when the Fremont Weir is spilling, including the elimination of access for the thousands of school children in the spring who annually participate in the Yolo Basin Foundation's *Discover the Flyway* school program; and
- prevent the wetland management practices that maintain the Wildlife Area in a flood neutral state.

The development of this BDCP does create an opportunity to look for alternatives that avoid the effects described above while achieving realistic fisheries goals. The Yolo Basin Foundation proposes an alternative that would create a Yolo Bypass Conservation measure in place of the proposed Fremont Weir modification. This new measure would incorporate the five actions that are described in "Yolo Bypass Conceptual Aquatic Restoration Opportunities" approved by the Yolo Bypass Interagency Working Group in 2006. Known as the "Five Step Proposal," the actions are:

- **Putah Creek**—Implement Lower Putah Creek stream realignment and floodplain restoration for fish passage improvement and multi-species habitat development on existing public lands.
- **Lisbon Weir**—Modify or replace the weir to improve the agriculture and habitat water control structure for fish, wildlife, and agriculture.
- **Additional Multi-species Habitat Development**—Provide for controlled, localized seasonal inundation on more frequent intervals; identify areas of opportunity only on: the Yolo Wildlife Area, other existing public lands, and private lands where cooperative agreements with willing landowners provide mutual benefits.
- **Tule Canal Connectivity**—Identify passage impediments (e.g. road crossings and impoundments), work with landowners to develop the best options for improving fish passage and insuring water diversion capability.
- **Multi-species Fish Passage Structure on the Fremont Weir**—Investigate the redesign of the existing fish ladder, evaluate the feasibility of constructing a new fish passage structure operated to insure continued maintenance of flood capacity, no substantial changes in timing, volume, and/or duration of flow and minimal disturbance to existing land use and agricultural practices.

These actions were developed in a formal collaboration with CA Department of Fish and Game, US Fish and Wildlife Service, CA Department of Water Resources, and National Marine Fisheries Service with the co-equal goals of improving aquatic habitat and keeping Yolo Bypass users whole. These five actions are included in the Yolo Bypass Wildlife Area Land Management Plan. They are also part of the Bypass-wide package of actions that make up the Yolo Bypass Integrated Project within the Yolo County Integrated Regional Water Management Plan. This plan was crafted by a long standing group of stakeholders representing the Yolo Bypass.

Since the Five Step Proposal focuses on Putah Creek and Yolo Bypass infrastructure, an action to increase the frequency and duration of spring flooding from the Sacramento River could also be included. This approach would more directly benefit Sacramento River salmon.

Finally, any change in inundation patterns in the Yolo Bypass would have to protect the Yolo Bypass Wildlife Area and be developed in conjunction with the Central Valley Flood Protection Board.

The Lower Yolo Bypass Planning Forum, a formal collaboration co-sponsored by Yolo Basin Foundation and the Delta Protection Commission, provides a means for stakeholders to develop an ecosystem-based set of actions to improve fish habitat while protecting existing uses. We encourage the BDCP Steering Committee to collaborate with this group.

The Yolo Basin Foundation has twenty years of experience in maintaining the partnerships needed to successfully improve fish and wildlife habitat in the Wildlife Area, and the larger Yolo Bypass. Foundation staff and board members look forward to working with BDCP Steering Committee members and staff to address the goals of the BDCP in the Yolo Bypass.

The second document is an op-ed that appeared in the Davis Enterprise that also addresses our concerns.

Yolo Basin Foundation Op-Ed Regarding the Bay Delta Conservation Plan
*(This opinion piece appeared in the Davis Enterprise on 4/26/09 as
“Spring Flooding Imperils Bypass.”)*

Don't throw the baby out with the bathwater! A measure contained in the Bay Delta Conservation Plan (BDCP) would do just that if it isn't modified.

The Sacramento-San Joaquin Delta ecosystem is in trouble. Governor Schwarzenegger has assembled an army of agency leaders, staff and consultants with the goal of solving the Delta ecosystem crisis and providing guaranteed water to Southern California people and farms before he leaves office. “Delta Vision,” published in November 2008, is the outcome of their effort, and the BDCP is a complex multi-party plan to carry out the goals of “Delta Vision” within the context of the state and federal endangered species acts.

A model for solving the Delta's problems exists here in Yolo County--the 16,000-acre Yolo Bypass Wildlife Area, and the partnerships it was founded on. Instead of incorporating this successful model, policy makers are on their way to undoing 20 years of community effort to create and manage this amazing public resource.

The Yolo Bypass Wildlife Area, owned and operated by the CA Department of Fish and Game, exemplifies the power of diverse interests working together, and its success is possible because of widespread community and agency support that is based on a long running grassroots effort. It exists within the flood control function of the Bypass; it contributes to the agricultural economy of Yolo County; and it is an open space jewel for the regional community, all while providing a healthy, diverse wetlands ecosystem. The fact that the Yolo Bypass Wildlife Area is located adjacent to the State Capitol means it is accessible to a large metropolitan population, and its impact on building a community environmental ethic should not be underestimated.

The BDCP proposes to construct a notch in the Fremont Weir in order to prolong spring flooding, fundamentally changing how the Bypass works. The Fremont Weir currently diverts up to 500,000 cubic feet per second of water into the Yolo Bypass when the Sacramento River reaches flood stage. The proposed modification would be used to flood the Bypass for a 45 day period between January and May in most years.

This proposal is based on studies that compared the health of young ocean-going salmon that were carried by floodwaters into the Bypass with similar smolts caught in the Sacramento River. The fish that migrated via the Bypass showed signs of being healthier than those that migrated through the channelized Sacramento River. It is hypothesized that the difference is based on time spent in the shallow waters of the Yolo Bypass floodplain.

While this proposed measure may improve the survival chances for some young salmon in a few more years than currently happens, it is only one among many actions that need to be completed to improve salmon survival throughout their life cycle to the ocean and back. The Yolo Bypass Wildlife Area Land Management Plan contains five other actions to improve conditions for salmon and other native fish without notching the Fremont Weir. A copy of the plan can be found on the Yolo Basin Foundation's website: www.yolobasin.org.

Increased frequency and duration of spring flooding will have a serious impact on agriculture and habitat management in the Yolo Bypass, tipping the balance toward inviability. The extensive rice growing operations in the Bypass provide millions of dollars of income that contributes to the vibrant Yolo County agriculture economy as well as valuable habitat for water birds. The Yolo County Agriculture Commission estimates that the combination of rice and other crops plus ranching in the Yolo Bypass creates about \$44 million in direct farm income annually.

Rice farmers need to start preparing the ground and planting rice starting in March. There are already years in which spring flooding prevents this field work and the rice acreage decreases significantly. Increased spring flooding makes nearly every year a bad year for Bypass farmers and the habitat benefits they provide.

Agriculture, including ranching, is fully integrated into the management of the Wildlife Area. With the involvement of the Dixon Resource Conservation District, agricultural activities help Fish and Game fulfill their habitat goals while generating important income for the operation of the Wildlife Area. This income is what makes it possible for the Wildlife Area to be open to the public and managed in a way that creates and sustains diverse habitat.

Spring flooding is problematic in other ways. Floodwaters that linger into spring encourage the growth of tules, cattails, and willows which left unmanaged will slow down the movement of floodwaters. This proliferation of emergent vegetation reduces the ability of the Yolo Bypass to move floodwaters away from urban areas as designed. Late spring flooding also adversely affects the success of ground nesting birds because the growth of grasses that provide cover is delayed.

Yolo Basin Foundation, the nonprofit associated with the Wildlife Area, is working to deliver the message to the members of the BDCP Steering Committee that there are other measures available to improve aquatic habitat for fish while sustaining the existing high quality mosaic of farm fields and wetlands. We are encouraging them to work with us to develop a set of actions that builds upon the success of the Yolo Bypass Wildlife Area and honors current management underway on public and private lands throughout the Yolo Bypass.

We also urge the citizens of Yolo County to weigh in on the BDCP effort by expressing support for the protection of the Yolo Bypass Wildlife Area and the values it represents. The BDCP EIR/EIS scoping process is open for public comment until May 14th. For information on how to submit comments go to <http://www.resources.ca.gov/bdcp/>.

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Thank you for the opportunity to comment.

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