

Meeting Notes
NORTH DELTA IMPROVEMENTS GROUP MEETING
Wednesday, May 17, 2006
1:30-3:30 p.m. at Jones & Stokes (2600 V Street)

ATTENDANCE LIST:

Burkholder, Brad	CA Department of Fish and Game
Crouch, Craig	Sacramento County Water Agency
Dutton, William	US Bureau of Reclamation (USBR)
Eusuff, Zaffar	California Department of Water Resources (DWR) North Delta
Fleenor, Bill	UC Davis
Giovannini, Philip	Central Valley Regional Water Quality Control Board
Hadl, Stefan	KCRA TV
Hoppe, Walt	Area resident
Kirkham, Bill	Area resident
Knittweis, Gwen	DWR North Delta
Kramer, Dan	Robertson-Bryan
Kreinberg, Grant	Sacramento Area Flood Control Agency (SAFCA)
Kwan, Jonathan	CA Department of Health
Martin, Sara	Jones & Stokes
Mello, Steve	Reclamation District 563
Mraz, David	DWR
Reeve, Matt	DWR North Delta
Simons, Rachel	East Bay Municipal Utility District (EBMUD)
Solbert, Alan	Jones & Stokes
Stroh, John	San Joaquin County Mosquito and Vector Control District
Van Loben Sels, Topper	North Delta Water Agency and Delta Protection Commission (DPC)
Wilson, Daniel	DPC, Reclamation District 2111

HANDOUTS

- Meeting Agenda
- Meeting Notes from the December 14, 2005 meeting

ACTION ITEMS

Action Items are notated with an “AI” in the margins of the notes and italicized text.

1. INTRODUCTIONS – Gwen Knittweis, DWR

Gwen Knittweis called the meeting to order and facilitated a round of introductions. Ms. Knittweis then introduced DWR North Delta’s new Staff Environmental Scientist, Matt Reeve. Mr. Reeve has filled the position once held by Collette Zemitis and later by Dan Ray. His education is in biology and agricultural pest management, and he has had extensive experience working for the State of California.

Ms. Knittweis invited meeting attendees to review the notes from the previous NDIG meeting (December 14, 2005) and e-mail any corrections or comments to her at gwenk@water.ca.gov. She acknowledged the several-month-long gap in NDIG meetings (with one e-mail update in February), explaining that staff have been focusing on preparing the administrative draft environmental impact report (ADEIR).

2. EIR PREPARATION AND UPDATE – Sara Martin, Jones & Stokes

Sara Martin provided an update on the status of the environmental documentation for the project. Jones & Stokes delivered the preliminary Administrative Draft EIR for DWR's internal review on May 12, 2006. DWR has committed to providing comments on this draft by May 26, and Jones & Stokes expects to produce the Administrative Draft EIR for distribution to agencies by mid-June. The current estimate for a Public Draft EIR release date is sometime in the late summer. Dave Mraz expressed his thanks to Jones & Stokes for producing such a great document.

3. PROJECT FUNDING AND IMPLEMENTATION UPDATE – Dave Mraz, DWR

Mr. Mraz provided an update about the current funding and implementation situation of the North Delta project. When it was conceived, the North Delta project was under the purview of the DWR Conveyance department. However, it is now under the DWR Levees Program. The EIR is being paid for by a CALFED grant administered by USBR. Because DWR Director Lester Snow did not include the project in the list of priority CALFED actions, CALFED/USBR has decided to discontinue funding the USBR contract beyond release of the Administrative Draft EIR.

DWR needs input from NDIG members on how to proceed at this point. There is still a chance to implement the project, as it is currently in the U.S. Army Corps of Engineers' (Corps') 180-day report (under 108-361). In order to keep the project alive, decisions need to be made about who the local project sponsor is going to be, and who will take on long-term ownership of Staten Island and McCormack-Williamson Tract. Because of the Paterno decision, DWR will not act as the local project sponsor. Mr. Mraz suggested that one of the local reclamation districts should think about taking it on. If the Corps becomes a partner in the project, DWR Delta Levees Program is prepared to provide the local sponsor with 75% of the 35% total local cost share required by the Corps—this means the local sponsor would only need to pay for 9-10% of total project costs.

Steve Mello expressed that in his view, it wouldn't make sense for any of the individual reclamation districts in the North Delta area to take this project on, as the project addresses a region-wide problem and involves a region-wide solution. It also presents a jurisdiction problem.

Mr. Mraz asked if SAFCA might be interested in taking on project sponsorship. Grant Kreinberg felt it would be very unlikely. SAFCA's position is to monitor the North Delta project—their current mission is to protect the urban area first. Mr. Kreinberg asked if it would fit within the DPC's charter to act as project sponsor. The DPC seems to him like a good candidate because it is more local-friendly than any state agency, and all the interests are already at the table. Topper Van Loben Sels responded that it would certainly fit within the charter and mission statement of the DPC, but that the DPC has no funding for that sort of activity.

Grant Kreinberg asked if the North Delta project has been presented yet to the State Reclamation Board, and if so, what their opinion is on it. Mr. Mraz responded that DWR has not worked with any of the Reclamation Board appointees through this point, but that they have been working closely with DWR's Director of Flood Management.

Daniel Wilson returned the discussion to the topic of DWR's unwillingness to act as local sponsor for the project. He feels that even if DWR finds someone else to act as the local sponsor, such as a local reclamation district or DPC, the liability will eventually fall to the state anyway, since the local reclamation districts and DPC have no assets. Mr. Van Loben Sels felt that there is no liability risk

associated with the alternatives proposed under the project. Mr. Wilson expanded by indicating that if the project is not constructed and Walnut Grove, the Florin area, or another area is flooded, there will definitely be liability risk. Mr. Mraz disagreed, saying that right now, there is no liability risk to the state since the levees in the area are not Project levees. Mr. Hoppe pointed out that the State is indeed liable for failure of those levees, since they provide funding for levee maintenance.

Some of the meeting attendees expressed their concern that DWR is walking away from the North Delta—that it is clear that the only organization with the resources to sponsor this project is DWR, and that it is specious to assert it could work any other way.

Mr. Mraz reinforced his original intention for the meeting, which was to strategize with the NDIG group on how to keep the project alive, and encourage all the attendees to make a concerted effort to express their support of the project to the state agencies and legislature. Mr. Kreinberg feels that DWR needs to ensure the Public Draft EIR gets published—if DWR is going to be looking for a local sponsor, they need to have something to wave in their hand. He suggested DWR release a public draft, say they will accept comments, but would not release a final draft until a local sponsor (and federal lead) is found.

Several members of the group also agreed that the EIR should include a discussion of liabilities related to the project.

Mr. Wilson suggested that upon release of the Administrative Draft EIR, DWR should aggressively interpret who counts as an “agency” and gets to review the document in order to get a maximum amount of comment at the Administrative Draft stage. Mr. Mraz committed to taking that idea back to the DWR legal staff.

4. HEC-RAS CORROBORATIVE MODELING UPDATE – Bill Fleenor, UC Davis

Ms. Knittweis provided the background for Bill Fleenor’s report on the HEC-RAS corroborative hydraulic model. A Mike-11 model was used determine the project’s hydraulic impacts for inclusion in the EIR. DWR has previewed for some time that a HEC-RAS model may be developed to corroborate the Mike-11 modeling results. A North Delta HEC-RAS model was previously developed by MBK, but DWR felt that the model was flawed because it was tailored to high-flow scenarios. UC Davis has since developed their own HEC-RAS model for the North Delta project, this one built from a low-flow perspective with high-flow modeling capability. HEC-RAS is a public domain model, so DWR will have this model in-house to run scenarios, and will make it available to the public.

Mr. Fleenor highlighted some of the HEC-RAS model’s features, including more detailed channel bathymetry and added inputs to the Stone Lakes area north of Lambert Road. Mr. Fleenor requested that if any NDIG members have data that could contribute to the model’s accuracy, that they send it to him at wefleenor@ucdavis.edu. Mr. Mello offered to supply the results of a water surface elevation study he performed at Miller’s Ferry during the high water event on April 16, 2006, and Dan Kramer volunteered to supply Mr. Fleenor with aerial photography of the Cosumnes River Preserve and the Franklin Pond area.

Mr. Hoppe asked when the corroborative modeling would be done, but Ms. Knittweis responded that DWR does not know at this time when the modeling would be completed.

5. ECONOMIC ANALYSIS UPDATE – Zaffar Eusuff, DWR

Mr. Eusuff reminded the group that at the December NDIG meeting, DWR presented three methods of approaching the cost/benefit analysis for the North Delta project. The DWR project team decided to use the FEMA limited data module, and met with stakeholders and DWR economists (including Steve Cowdin) to fill out the “flood damage data sheet.” However, before the analysis could be completed, the 2006 spring flooding events hit, causing the stakeholders and DWR’s attention to shift to more immediate concerns. Additionally, DWR has been busy with the EIR. So the cost/benefit analysis still needs to be completed.

Mr. Van Loben Sels asked when DWR thought this analysis would be complete, since DPC would like to use it to lobby Senator Pombo on behalf of the project. Mr. Eusuff projected that the analysis would be ready in September.

6. NEXT MEETING

The next NDIG meeting was tentatively scheduled for Wednesday, July 12. In the meantime, the DWR team will send out e-mail updates as any significant project news occurs.