

PUBLIC POLICY FACILITATING COMMITTEE

SONOMA COUNTY, CALIFORNIA

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RUSSIAN RIVER INSTREAM FLOW AND RESTORATION

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REPORTER'S TRANSCRIPT

December 13, 2010

9:02 a.m. to 11:41 a.m.

PROCEEDINGS HELD AT: Sonoma County Board of
Supervisors Chamber
575 Administrative Dr., Room 102a
Santa Rosa, California

REPORTED BY: Sharlene S. Nordstrom
CSR #2861, CCRR #081

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A P P E A R A N C E S

COMMITTEE MEMBERS:

Chairman Paul Kelley
Richard Butler
Major Sam Volkman
Catherine Kuhlman
Efren Carrillo
Shirlee Zane
Lee Howard
Sean White
Scott Wilson

SPEAKERS:

Dr. William Hearn
Pam Jeane
David Manning
Eric Larson
Mike Dillabough
Daria Mazey
Jessica Martini-Lamb

1 and Game, acting regional manager.

2 MR. BUTLER: Dick Butler, National Marine
3 Fisheries Service.

4 MAJOR VOLKMAN: Major Sam Volkman, U.S. Army
5 Corps of Engineers, San Francisco District.

6 MR. CARRILLO: Efren Carrillo, Sonoma County
7 Supervisor, Director of Sonoma County Water Agency.

8 MS. ZANE: Shirlee Zane, Sonoma County
9 Supervisor Third District and Director on the Sonoma
10 County Water Agency.

11 CHAIRMAN KELLEY: Catherine, just not going to
12 let you sit down there.

13 MS. KUHLMAN: Catherine Kuhlman, North Coast
14 Water Board.

15 CHAIRMAN KELLEY: Thanks for being here. The
16 good news is you sat in the location where you got a
17 soft chair.

18 MS. KUHLMAN: I know.

19 CHAIRMAN KELLEY: Just maybe to provide a
20 little bit of brief background on the PPFC. It was
21 created in 1998. It's part of the Section 7
22 Consultation process. As some may know, in the Section
23 7 of the Endangered Species Act it's generally a
24 consultive process related to the ESA. And it was
25 determined at the time, maybe lots of discussions before

1 that determination, but we finally determined that it
2 would be positive to have a public aspect of the Section
3 7 Consultation. And it was also determined at the time
4 that we would do that through this particular forum.

5 The PPFC is actually quite a rarity, if you
6 look at all other Section 7 Consultation processes
7 throughout the country, and it's actually quite
8 gratifying to have not only the federal agencies sitting
9 here but also the state agencies, including those
10 representing Mendocino County and the Sonoma County
11 Water Agency.

12 So that was really designed through the early
13 stages, and probably eight, eight and a half years of
14 the PPFC it was used mainly as a forum for the
15 biological assessment. As different sections of the
16 biological assessment were put together, there were
17 presentations before the PPFC as a way to both monitor
18 the progress of the biological assessment that
19 ultimately resulted in the biological opinion, and also
20 provide opportunities for the public to be informed
21 about the process and how the biological assessment was
22 working through.

23 Subsequent to the completion of the biological
24 assessment there was a Biological Opinion that was
25 released, and we did have a PPFC meeting at that time of

1 its release, and it was I believe in the beginning of
2 October of 2008 in which we had that meeting, which was
3 just a few days after the official date of the
4 Biological Opinion.

5 Also just for clarity, this is the Russian
6 River Project's Endangered Species Act Biological
7 Opinion. So if you are here for some other one, you
8 might go down the hall.

9 No, just kidding.

10 Just for clarity, one of the reasons for both
11 the Sonoma County Water Agency and the Army Corps of
12 Engineers being involved in this is that it's our both
13 mutual and combined projects that are called out for in
14 the Russian River system.

15 This is the third meeting of the PPFC, or the
16 Public Policy Facilitating Committee, since the release
17 of the Biological Opinion. The thought is that it's an
18 opportunity really on an annual basis to provide not
19 only the agencies that are sitting up here but the
20 public information about the progress of implementing
21 the Biological Opinion.

22 And so that is really what you are going to see
23 throughout the rest of this agenda, is reports related
24 to the progress of implementing the Biological Opinion.
25 So that's just a brief synopsis or overview of why we

1 are here.

2 And then I'll just briefly mention, on the
3 agenda we have the overview of the two-year milestones,
4 and Dr. Bill Hearn is here from the National Marine
5 Fisheries Service to provide that.

6 Then we have our third agenda item, which is
7 project components, and those are going to be mostly
8 dealt with by both the Sonoma County Water Agency and
9 the Corps as it relates to different project components
10 that are called out for as reasonable and prudent
11 alternatives or projects within the Biological Opinion.

12 And just for clarity sake, as it relates to
13 most of, all of those, those have specific project
14 components. Some of them have specific environmental
15 impact reports that need to be done. So those will have
16 all of their standard noticing opportunities and comment
17 opportunities.

18 And one of the things that's mentioned at the
19 end is related to public comments. I will open
20 opportunity at the end of each presentation, if there
21 are some specific questions by both those up here on the
22 committee and then those of the public. And any
23 comments, just for clarity sake as well, are
24 specifically, in this forum, made to the committee and
25 input into the committee.

1 So with that, we will turn to Dr. Hearn and his
2 august looking group at the table for our overview of
3 two-year milestones.

4 Dr. Hearn, great to see you again.

5 DR. HEARN: Thank you, Paul.

6 I am a branch supervisor with the National
7 Marine Fisheries Service, and I am the project lead for
8 the Biological Opinion and its implementation. We just
9 completed the second -- well, in October, early October
10 we completed our second full year of implementing the
11 Biological Opinion. I'm going to provide basically an
12 executive summary or overview of what's been going on
13 for the past year.

14 Before doing that, I would like to say what
15 exactly the Biological Opinion is. There has been a
16 fair amount of confusion about that over the past few
17 years. It is a process in which our agency consulted
18 with the Army Corps, Sonoma County Water Agency, and the
19 Mendocino County Russian River Flood Control District
20 concerning their activities related to water supply and
21 flood control on their projects in Mendocino County and
22 Sonoma County as it affected the Russian River,
23 particularly, and the Dry Creek.

24 It involved operations at Warm Springs Dam and
25 Coyote Valley Dam. That's both flood control and summer

1 water releases for water supply. It dealt with -- it
2 deals with water-level management at Jenner in the
3 estuary. It deals with modification of flows in the
4 main stem Russian River via a process involving the
5 State Water Resources Control Board. It involves fish
6 hatchery operations up at Warm Springs Dam. It deals
7 with the water diversion by Sonoma County Water Agency
8 at Mirabel. And it deals with ongoing channel
9 maintenance activities by Sonoma County Water Agency and
10 the Mendocino County Russian River Flood Control
11 District.

12 It is not a recovery plan for salmonids. A lot
13 of people think, Well, it deals with everything. Is it
14 dealing with timber? Is it dealing with gravel mining?
15 It does not. It is basically dealing with the things
16 you see up there on that slide. It's dealing with water
17 supply and flood control issues.

18 I would like to say a little bit about why it
19 is that we need to deal with water supply and flood
20 control issues, and why it is that the coho salmon and
21 the steelhead, which were listed on the endangered
22 species act, were listed. What you see here is typical
23 of what happened to the most of the population of
24 steelhead and salmon along the coastal California
25 streams. And these are data for the Russian River.

1 What you will see is, back in the late 1800s,
2 early 1900s there were roughly 20,000 salmon coming into
3 the Russian River. And during the '30s and '50s that
4 number started to decline. And it started to seriously
5 collapse during the '60s and '70s, to the point where
6 during the 1980s, early 1990s, the salmon run in the
7 Russian River was down to roughly about 500 fish, maybe
8 1,000 fish. It was some hatchery supplementation.

9 During this past decade the coho salmon have
10 all but disappeared, and there are roughly three to
11 5,000 chinook salmon returning to the Russian River. In
12 2008 the coho salmon were reduced to the point where
13 there were literally about ten or 20, we estimate,
14 coming back to the Russian River.

15 And in 2008 there were only about 1,100 chinook
16 salmon.

17 The steelhead populations have also greatly
18 declined. In the 1920s there were an estimated 60,000
19 wild steelhead coming back to the Russian. The Russian
20 was said to be home to the third largest steelhead run
21 in California. That run is now down to about 5,000 wild
22 adults. Hatchery program supplements that run, there's
23 an additional approximately eight to 10,000 hatchery
24 adult steelhead returning to the Russian River.

25 The major findings of the Russian River

1 Biological Opinion was that cold water rearing habitat
2 for these species was extremely limited for coho salmon.
3 We also found that Dry Creek has huge amounts of cold
4 water coming out of Lake Sonoma during the summer
5 months. However, the flows are so high that the quality
6 of habitat is rather poor.

7 We found that estuary summer rearing is very
8 important habitat for steelhead and salmon. However,
9 the very high inflows coming down into the estuary, and
10 the manner in which the Sonoma County Water Agency had
11 been maintaining water levels, was causing significant
12 impacts to the estuarine habitat.

13 As a note, the Russian River summer flows that
14 are released out of the dams are roughly seven times the
15 natural historic flow of the Russian River, meaning
16 flows that were occurring prior to the construction of
17 the major water supply dams.

18 To address the issue of high flow impacts to
19 Dry Creek, the Biological Opinion prescribes habitat
20 restoration and enhancement. If that doesn't work, as a
21 backup a pipeline should be built. However, it's
22 important to understand that the habitat enhancement
23 approach we believe will very likely work. We wouldn't
24 have prescribed a large habitat enhancement project in
25 Dry Creek if it wasn't likely to work.

1 There are two categories of habitat
2 enhancement. The first is habitat tributary
3 restoration. Restoration of tributary habitat. The
4 second category is habitat enhancements along six miles
5 of the main stem of Dry Creek.

6 With regard to the tributary restoration
7 projects, Sonoma County Water Agency is to complete five
8 tributary projects in the first three years of the
9 Biological Opinion, and now we are through year two.
10 And at this stage they have completed habitat
11 restoration for Grape Creek, so that's good. Looking
12 good, good job.

13 Another element that they elected to do, they
14 had a selection of, they could pick five out of ten
15 projects. One that they picked was for the funding of
16 restoration activities on Willow Creek. And they have
17 provided that funding for that.

18 Another project that they are tackling involves
19 highway passage on Westside Dry -- what's called West
20 Dry Creek Road near the Quivira Winery. There's a
21 significant passage problem there, and they have been
22 working on the design of the fish passage project with
23 them during the past year, and that hopefully will be
24 done next year. They have two other projects that they
25 will need to be -- that will need to be done next year.

1 There's been genuinely good progress on their
2 habitat enhancements on main stem Dry Creek. Biological
3 Opinion calls for the first mile of enhancement be done
4 during the years 2013 and 2014. It's a complex project,
5 involves a lot of engineering design, permitting and
6 whatnot, so it's not like something you can get done in
7 the first three years. So it's in the first five years
8 that we need to start with the first mile of habitat
9 enhancement.

10 There's a technical advisory committee that's
11 been formed in which landowners provide input into the
12 restoration project. And I can report that the
13 landowners are supportive of restoration efforts on this
14 first mile of stream habitat.

15 Sonoma County Water Agency has a consultant
16 Inter-Fluve, which is a really great habitat restoration
17 consulting company, and they have completed the
18 30-percent design on that first mile of habitat.
19 Federal funding of the Corps' portion remains an issue.
20 Sonoma County Water Agency has been actively pursuing
21 congressional support for that funding.

22 I took a shot of one of the engineering designs
23 for the Dry Creek habitat enhancement. There are pages
24 and pages of this kind of engineering design, and I
25 think it demonstrates really thoughtful work that's

1 being done to try to improve habitat on Dry Creek.

2 The plan for addressing the impacts of ongoing
3 water-level management in the estuary is to create a
4 stable freshwater lagoon during summertime that will be
5 deeper and have fresher water than the tidal system that
6 currently exists. And that's to be done by reducing
7 inflows to the estuary and implementing an alternative
8 water-level management plan.

9 In 2010, this past year, Sonoma County Water
10 Agency and NMFS attempted to implement the water-level
11 management plan, and I'll tell you a little bit more
12 about that in a minute.

13 In 2010 Sonoma County Water Agency also drafted
14 an EIR for the estuary management plan for purposes of
15 long-term permitting of water-level management
16 activities.

17 This past year stream inflows to the lagoon
18 were probably too high for success. We had an
19 incredibly wet spring. Nevertheless, Sonoma County
20 Water Agency and National Marine Fisheries Service
21 attempted to manage water levels when a sandbar closed
22 off the estuary and water levels rose to about six or
23 seven feet behind the sandbar. A relatively shallow
24 outflow channel was created at an angle to the
25 coastline. The project was going great at that point.

1 Wave wash closed the outflow channel as we
2 thought it might. The plan was to return and do
3 additional excavation in a couple of days when lagoon
4 water was at a higher level. However, a natural or
5 illegal breach of the estuary drained the lagoon and
6 water levels collapsed. We never had an opportunity to
7 create a natural lagoon after that, because it takes
8 natural ocean conditions to close the mouth of the river
9 with sand, and the mouth just simply never closed
10 throughout the summer. It actually closed, I want to
11 say, the very -- the last -- first couple of weeks of
12 October and that was it.

13 The creation of a closed lagoon in the estuary
14 to improve salmonid rearing habitat will require
15 lowering the summer minimum flows in the Russian River.
16 That will require modifying the State Water Resources
17 Control Boards' D1610 which governs minimum flows in the
18 river. Lower summer flows would improve habitat
19 conditions for steelhead in the upper Russian River,
20 upstream of Cloverdale.

21 It's important to understand that we aren't
22 trying to reduce flows below the flows that occurred
23 prior to the construction of Lake Pillsbury, Lake
24 Mendocino, and Lake Sonoma. Some people think we are
25 trying to reduce the flows to some critical level that

1 are hysterically low. That's not true. Indeed we are
2 looking for a flow that's roughly three to four times
3 higher than the natural pre-dam conditions.

4 In 2009 Sonoma County Water Agency petitioned
5 the State Water Resources Control Board to change D1610.
6 In this past year Sonoma County Water Agency conducted
7 EIR scoping meetings for D1610 changes. Temporary
8 Urgency Change Petitions submitted and granted in 2010,
9 and they will be needed in years 2011 through 2015.

10 The Biological Opinion obtained funding for the
11 analysis and management of genetics for the coho
12 broodstock hatchery program. And upgrade of rearing
13 facilities for coho salmon were also recommended in the
14 Biological Opinion, and those are ongoing. There's also
15 been funding for the field monitoring of the Coho
16 Broodstock Program.

17 There's some room for optimism for the Coho
18 Broodstock Program. This graph shows the number of
19 juvenile coho that have been stocked in tributaries of
20 the Russian River over the past seven years. You can
21 see the beginning in 2004 there were relatively few
22 juvenile salmon stocked, so the returns were very low.
23 The numbers stocked have steadily increased.

24 The adults return two years after they're
25 stocked as juveniles. This year we are actually seeing

1 the results of the stockings in 2008. On this graph you
2 can see that this year they are stocking 160,000
3 juvenile coho salmon, which will yield an even greater
4 number of returning adults in 2013. It's worth noting
5 that most of these juveniles are stocked in tributary
6 streams where they will return naturally to spawn.

7 Just last night I saw in my e-mail that the
8 person who is monitoring coho in one of the tributaries
9 estimated that there were as many as 80 adult coho
10 salmon in one of the tributaries here in the watershed.
11 So that was really cool.

12 There's been a lot of biological monitoring
13 work that's been done in 2010, and speakers after me
14 will be telling you about that effort. Other biological
15 issues that have been moving forward in 2010 include,
16 the Corps has purchased turbidity meters to be installed
17 upstream and downstream of Coyote Valley Dam. We are
18 trying to get a handle on the issue of high turbidity
19 levels in the Russian River and the relationship of
20 Coyote Valley Dam to that turbidity.

21 National Marine Fishery Service, Sonoma County
22 Water Agency, and the Corps will be collaborating on a
23 joint study of flow ramping impacts to fisheries up at
24 Coyote Valley Dam. And Sonoma County Water Agency has
25 been working with National Marine Fishery Service on the

1 upgrade of the screen system for their water diversion
2 at Mirabel.

3 This is the last slide that I have. It's an
4 update of the number of salmon returning to the Russian
5 River in the past three years. The winter of '08/'09
6 was pretty dismal. Adult coho returns were down about
7 90 percent since the winter of '05/'06. Adult chinook
8 salmon had very low returns, only about 1,125 came back
9 that year. Things improved slightly the following year,
10 '09/'10 winter. During that year, though, Sacramento
11 run was at a historic low.

12 Russian River, the chinook salmon during that
13 '09/'10 winter was about 1,800, a little better. And in
14 this past year we got about 3,000 chinook coming back,
15 and we have seen more coho than we have in quite
16 sometime. Numbers are still really low, but there seems
17 to be some up-kick in their numbers.

18 And that's what I have.

19 CHAIRMAN KELLEY: Great. Thank you, Dr. Hearn.

20 Any questions of the committee on this point?

21 No.

22 Any specific questions from the public
23 regarding the presentation?

24 All right. We will have some time for public
25 comment.

1 Yes. Could you come to the microphone? And we
2 do have a court reporter, so if you could spell your
3 name, that would be helpful.

4 MR. SUKOVITZEN: Thank you. Is this on?

5 CHAIRMAN KELLEY: I'm not sure. One second
6 there.

7 MR. SUKOVITZEN: Thank you.

8 My name is Darrell Sukovitzen. The last name
9 is spelled S-u-k-o-v-i-t-z-e-n. Resident of
10 Forestville.

11 I think my question to Bill Hearn might be a
12 touch redundant. You did touch on it at the beginning
13 of your presentation, and that was surrounding
14 limitations of the study that is now complete,
15 limitations being not including data regarding
16 fungicides and other chemicals used in the vineyard
17 industry, which clearly state on the risk assessment
18 label and the material data sheets, that if spade where
19 either water runoff or drift goes into a stream that
20 carries aquatic life, it will kill the fish. You didn't
21 even touch on that.

22 So why were -- the parameters was the finance,
23 the available money for the report, why was the
24 parameters of the report so limited?

25 Thank you.

1 CHAIRMAN KELLEY: Thanks, Bill.

2 And thanks for being a good example of why we
3 need to spell the last name. I knew as soon as you
4 volunteered to come speak that that would be needed.

5 DR. HEARN: Under the Endangered Species Act
6 there are a number of programs, if you will. There is
7 Section 7 Consultation, in which a federal agency which
8 conducts an action comes to the National Marine
9 Fisheries Service or the U.S. Fish and Wildlife Service,
10 and they try to uphold the purpose of the Endangered
11 Species Act in regard to the project that they are
12 proposing to be doing, if you will.

13 And in this case, the Army Corps of Engineers
14 oversees permitting for flood control in Sonoma County
15 and Mendocino. And they jointly operate the summer
16 water releases out of Lake Mendocino and Coyote Valley
17 Dam. So the Section 7 Consultation was concerned with
18 water supply and flood control, and that is what Section
19 7 is intended to do. It's focused on a project. It is
20 not a recovery plan.

21 Our agency has a public draft of a recovery
22 plan for coho salmon that was issued in, I believe,
23 March this past year, 2010, and that recovery plan
24 addresses everything under the sun. I don't know if I
25 want a transcriber to hear me say that. But it deals

1 with the water quality issues, it deals with timber, it
2 deals with gravel mining, it deals with everything that
3 basically impacts species, and it pursues a path to
4 recovery of the species. Section 7 is trying to
5 minimize the impacts of a discrete project.

6 And so therefore the contaminants that you were
7 speaking of, Darrell, are not something that the Corps
8 or Sonoma County Water Agency is putting in the water,
9 so we could not legally address it through that Section
10 7 process.

11 CHAIRMAN KELLEY: Thanks.

12 MS. ADELMAN: Brenda Adelman, Russian River
13 Watershed Protection Committee.

14 My question is, in August of '09 average flows
15 at Hacienda were 63 CFS, which is seven CFS lower than
16 what is being proposed for changes to Decision 1610.
17 All this last year total flows at Hacienda averaged
18 about 260 CFS even though releases from the dams were at
19 a much lower level.

20 In '09 when those low flows were occurring in
21 August, the mouth of the river did not close. And
22 what's been happening this year has already been
23 explained.

24 Now, my question is, how is it possible that
25 the EIR on the estuary project will not consider, it is

1 my understanding it will not consider or go into changes
2 to Decision 1610 and lower flows?

3 Thank you.

4 CHAIRMAN KELLEY: All right. Dr. Hearn, do you
5 have any comments on that? I only comment on estuary
6 project not --

7 DR. HEARN: Jessica is going to be talking
8 about the EIR for that. I would think that she would be
9 better suited. Perhaps she can answer that in her talk,
10 or will answer that in her talk, Brenda.

11 MS. NIELSON: Jane Nielson, Sebastopol Water
12 Information Group.

13 My question has already been partly answered,
14 but I'm really glad to know there is a plan that covers
15 everything that may be affecting salmon. But I would
16 like to know what, if there is an estimation, of what
17 the major impacts are, that is, which of the things that
18 are affecting the Russian River have the largest impact
19 on salmon, and what sort of proportionate impact would
20 that be if that has been, so that we can understand what
21 the proportionate remedy might be, you know. What
22 actual proportion of salmon do you think are actually
23 going to be coming back as a result of this project, of
24 this sort of fragmented project oriented way of doing
25 things.

1 DR. HEARN: I would say that doesn't really
2 concern the Russian River Biological Opinion, but as an
3 aside I will tell you that the recovery plan does
4 identify the major threats to the salmonid populations,
5 and that roads, whether they be farm roads or logging
6 roads or county roads are, I believe, the number one
7 impact to the species. Water diversions is another
8 major impact. I think of them as being the two
9 principal impacts.

10 CHAIRMAN KELLEY: Thank you.

11 All right. I'm going to go ahead and move on
12 to the next item on the agenda, which is related to
13 project components, and this is year three plans and
14 challenges. We will have a report on the fish flow
15 project. This one will be done by Pam Jeane, Assistant
16 General Manager of Operations at the Sonoma County Water
17 Agency.

18 Then we will have a report on the Dry Creek
19 habitat enhancement, pipeline study, hatchery
20 improvements, federal funding. We will have David
21 Manning, Principal Environmental Specialist from the
22 Sonoma County Water Agency; and Eric Larson, Programs
23 Manager from the Department of Fish and Game, Bay-Delta
24 Region; and Mike Dillabough, Chief of Operations and
25 Readiness Division of the Corps of Engineers, San

1 Francisco District.

2 And then we will have an estuary outlet channel
3 management environmental process and implementation.

4 And as previously mentioned, Jessica Martini-Lamb will
5 be our Principal Environmental Specialist at the Sonoma
6 County Water Agency making that presentation.

7 And hopefully that recitation gave you enough
8 time to get your slides up.

9 MS. JEANE: I'm up and ready to go. I hope I
10 can get close enough to the mike to do this.

11 Again, my name is Pam Jeane. I'm an Assistant
12 General Manager at the Sonoma County Water Agency and I
13 manage operations at the agency.

14 I'm going to speak to you super briefly today
15 about flow changes as prescribed in the Biological
16 Opinion. I'm not going to go over the specific data in
17 terms of what flows are going to change to and from, I'm
18 simply going to give you an overview of what's required,
19 as well as provide an update of what was accomplished
20 over the last couple of years and where we are going
21 from here.

22 So according to the Biological Opinion the
23 Sonoma County Water Agency is required to pursue
24 permanent changes in instream flow requirements in both
25 Russian River and Dry Creek. Minimum flow requirements

1 are actually set by the state and they are prescribed in
2 the agency's water rights. And the decision that formed
3 the agency's water rights, that's Decision 1610 referred
4 to on this slide as D1610. So we are starting that
5 process now and I'll describe that in a little bit.

6 Beginning in 2010 because the National Marine
7 Fishery Service realized it would take us a number of
8 years to actually obtain permanent changes in instream
9 flow requirements, in the Biological Opinion it was
10 prescribed that we also ask for interim relief from
11 instream flow requirements on an annual basis from the
12 state until such time that we have permanent changes in
13 place.

14 So to date the agency did file a Water Rights
15 Petition as required by the Biological Opinion. That
16 petition requests a change in minimum instream flow
17 requirements from current requirements to those
18 prescribed in the Biological Opinion. The Biological
19 Opinion was very specific about us having to file that
20 petition one year from the issuance of the Biological
21 Opinion, so it was filed a little over a year ago.

22 We were also required to, beginning in 2010,
23 this summer, request these interim changes in instream
24 flows. So we did file what's called a Temporary Urgency
25 Change Petition with State Water Resources Control Board

1 for relief from instream flow requirements, and we
2 received an order from the state this year and
3 implemented that order.

4 Progress to date on the permanent changes in
5 instream flow requirements, this was mentioned a few
6 minutes ago by Dr. Hearn, is that we were required also,
7 date certain, by the Biological Opinion, to begin our
8 CEQA process and have a notice of preparation out by two
9 years from issuance of the Biological Opinion.

10 So in September of this year a Notice of
11 Preparation of Environmental Impact Report was issued to
12 the public. There were three public scoping meetings
13 held within the watershed. One was held down in the
14 lower Russian River area in Monte Rio, one was held in
15 Windsor, and one was held in Ukiah. They were an
16 open-house style format and had a number of attendees at
17 them.

18 The comment period actually closed the middle
19 of November, and we had about 40 people submit,
20 approximately 40 people submit comments.

21 The next step on this permanent changes in
22 instream flows is for us to organize and consider the
23 comments. We plan on bringing a summary of the comments
24 to our board of directors in the spring of this year.
25 And we will try to keep our board apprised of what's

1 going on. There's a very long period of time between
2 now and the time that we will be issuing a draft
3 Environmental Impact Report, which is about a year and a
4 half from now. So we are trying to come up with some
5 ideas of what we can be bringing to our board in order
6 to keep them apprised of what's going on there, but the
7 next thing we will bring to them is the summary of the
8 comments that we have received.

9 We will be preparing the draft Environmental
10 Impact Report over the next year and a half, and we have
11 a number of studies that need to be completed to do
12 that. And we will be performing impact analysis, also.

13 One of the things that I missed on the slide,
14 and I apologize, is that we, as Dr. Hearn also said, we
15 will be filing a Temporary Urgency Change Petition again
16 this summer for relief from instream flow requirements.
17 That's this interim requirement change per the
18 Biological Opinion. And I apologize for missing it
19 there.

20 And that's all I have.

21 CHAIRMAN KELLEY: Great.

22 Let's move on to the Dry Creek.

23 MR. MANNING: Thank you, Mr. Chair.

24 Again, my name is David Manning, Principal
25 Environment Specialist with the Sonoma County Water

1 Agency. I'm going to talk to you today providing some
2 more detail about our work in Dry Creek, some of the
3 habitat assessment work as well as the planning
4 associated with that, and the potential bypass pipeline.

5 Dr. Hearn did a very nice job of running us
6 through the sequence of events the Sonoma County Water
7 Agency is mandated to conduct over the next 15 years in
8 Dry Creek. And this image, if you have been to any of
9 our presentations before, should be familiar, but I'll
10 run through it very briefly.

11 Right now we are in this interim phase until
12 2011 to study the potential to restore Dry Creek
13 habitat, as well as improve tributary conditions in five
14 tributary streams, and also study the feasibility of a
15 bypass pipeline should the habitat projects not be
16 effective.

17 We move through time slowly building these
18 habitat projects, monitoring them and learning from them
19 until a critical decision point in 2018. After three
20 miles of this habitat has been constructed we decide
21 whether we should continue to pursue the full six-mile
22 obligation under the Biological Opinion or divert to a
23 plan B and draw on the feasibility study for a pipeline
24 prepared in the initial three years of the Biological
25 Opinion.

1 So we are actively pursuing information about
2 the feasibility of habitat improvements on Dry Creek.
3 And as Bill Hearn mentioned, Inter-Fluve, our consultant
4 from Oregon, has prepared a series of reports that I'll
5 describe briefly here.

6 We have recently received a Final Current
7 Conditions Inventory. This is an important first step
8 in our understanding of the historic hydrology, and land
9 management, geology, in the Dry Creek watershed, how the
10 stream has changed over time, what the current hydrology
11 is like, as well as the streambed conditions, the
12 quality of the current fish habitat, and most
13 importantly, the potential to create improved fish
14 habitat conditions.

15 This is a very detail report with a tremendous
16 amount of technical information, but some of the major
17 findings are important just to gain some context about
18 what we are planning here in Dry Creek.

19 One of the findings is that the growth of
20 vegetation in the period after the dam was constructed
21 in the early 1980s is now really influencing very
22 heavily the quality of fish habitat in the stream.

23 These two images you see here side by side, one
24 from the 1970s prior to dam installation, and one very
25 recently in the last couple of years, inner reach

1 centered around Lambert Bridge, shows the growth of
2 riparian vegetation in really sort of near ideal
3 conditions, incredibly fertile soil, year-round water,
4 abundant sunshine. What makes the area so fantastic for
5 growing grapes also makes it an amazing environment for
6 riparian vegetation, and that vegetation has constrained
7 the channel, occupied former gravel bars, and is really
8 focusing the stream flow velocity down the center of Dry
9 Creek. It's this accelerated stream velocity that is
10 found was such a hindrance to the maximum cold water
11 benefit presented in Dry Creek.

12 One of the things this report also did was look
13 at some of those places the stream used to meander
14 through the valley, and you can see it's hard to see in
15 some of these images, but those blue hatch areas are
16 places like you saw on the previous image that used to
17 be exposed gravel bars. They are places that look
18 enticing to create low velocity refuge habitat for these
19 fish.

20 Those opportunities are abundant throughout the
21 14 miles of Dry Creek and they present a greater range
22 of variation than was initially thought. So there is
23 some diversity out there in the landforms in Dry Creek
24 Valley that will allow to us build the kind of habitat
25 improvements that these fish require.

1 All of this is really just planning until we
2 get to the phase of attempting some of these techniques
3 and demonstrating them on the ground. And as Dr. Hearn
4 mentioned, we have been fortunate to gain the confidence
5 of a set of landowners in Dry Creek Valley, and they are
6 allowing us to construct a demonstration project to show
7 some of these techniques in one contiguous mile in
8 advance of the timeline outline that I showed previously
9 in the Biological Opinion.

10 We have currently a ten-percent design for what
11 we are calling the Demonstration Mile. I'll orient you
12 very quickly here to this image. On the far left-hand
13 side is Warm Springs Dam, on the right-hand side is the
14 confluence of Dry Creek and the Russian River. The
15 highlighted area centered around Lambert Bridge is this
16 contiguous mile of habitat.

17 Ten volunteer landowners, including five
18 wineries -- Amista, Dry Creek Vineyard, Rude, Quivira,
19 and Seghesio -- a very progressive forward thinking
20 group of folks that have invited us onto their
21 properties to demonstrate these techniques to hopefully
22 encourage some of their neighbors along the stream to do
23 similar projects.

24 Very briefly, I will take you through some
25 elements of this ten-percent design booklet produced by

1 Inter-Fluve. It shows diagrammatically some of the
2 techniques we will be attempting to implement. These
3 are low velocity habitats adjacent to the mainstream
4 channel. They are labeled backwaters, alcoves, really
5 essentially quiet water areas that coho salmon in
6 particular require for rearing. Coho salmon have very
7 restrictive habitat requirements and cannot deal with
8 the high water velocity in the mainstream of Dry Creek.

9 CHAIRMAN KELLEY: Mr. Manning, just to maybe
10 help people understand those a little better, the flow
11 direction is actually in a different direction than the
12 previous slide.

13 MR. MANNING: That is correct.

14 CHAIRMAN KELLEY: It's from right to left
15 instead of the previous side from being left to right.

16 MR. MANNING: Indeed.

17 A lot of these channels, they are designed so
18 that there are features below them that actually back
19 water up into those areas adjacent to the mainstream
20 channel.

21 Another important component of some of the work
22 along Dry Creek is stabilizing eroding stream banks.
23 This is a benefit to landowners as well as to fish
24 habitat. Depending on the degree of erosion in some of
25 these locations, we use different kinds of techniques

1 that are more or less heavily armored. All are very
2 natural installations using rock, wood, and rolled lifts
3 of soils. These are non, sort of, traditional large
4 boulder, riprap projects. They are all very
5 environmentally sensitive and planted extensively, so
6 that over time riparian vegetation that may be lacking
7 in some of those eroding areas regrows and stabilizes
8 stream banks.

9 When you see all of these techniques come
10 together, and this plan has sheet after sheet of very
11 detailed drawings, you can see that the idea is to work
12 in a coordinated fashion providing a diversity of
13 habitats these fish now lack, and can exploit these
14 wider portions of the stream channel.

15 Some of the areas you see shaded in green
16 represent areas of riparian vegetation management. That
17 is an incredibly important component of this plan, where
18 vegetation is selectively thinned from the channel to
19 allow water to flow into some of these newly excavated
20 and created features. And we will maintain the riparian
21 vegetation in that status by grooming it every couple of
22 years throughout at least the period of the Biological
23 Opinion.

24 Inter-Fluve has done some planning to see the
25 potential habitat benefit of these kinds of techniques.

1 I won't go through these drawings in detail, but just
2 know that all of the habitat features have been mapped,
3 and we actually know the square footage of area
4 anticipated to be created by these features and which
5 habitat types they represent.

6 Another question that we face often is, well,
7 you know, we are creating habitat largely for fish at
8 the typical operational flow for the Water Agency in the
9 summertime now in Dry Creek, which is about 105 cubic
10 feet per second. How will these habitat features deal
11 with the really high flow events that are common at a
12 known frequency in Dry Creek? There has been modeling
13 of the current stream conditions, as well as after these
14 projects are built, the expected water levels at storms
15 of various what are called recurrence intervals.

16 And that 11,000 cubic foot per second number I
17 have there on the screen represents the 100-year flood
18 event. All of that water is contained within the
19 existing creek walls, and all of the engineering for
20 these habitat features will account for the velocities,
21 the water depths on those structures. So there is a
22 tremendous amount of thought and planning going into
23 making sure these projects survive some of these
24 high-flow events.

25 Understanding how the projects perform over

1 time is a key feature of the planning right now for this
2 Dry Creek work. We are developing an Adaptive
3 Management Monitoring plan in consultation with a firm
4 from British Columbia, very expert in helping agencies,
5 SWA, National Marine Fisheries Service, Department of
6 Fish and Game, Army Corps of Engineers, reach consensus
7 on the goals and the objectives of this work and step
8 through in a very measured way some performance plans
9 and criteria for evaluating success of the work as it
10 moves through time.

11 That project will result in a series of
12 decision trees that specify performance measures and
13 targets. This is only an example I presented here on
14 the screen. This will be a lengthy report with input
15 for information we will collect through the monitoring
16 of these projects over time, and sort of present us with
17 anticipated outcomes so we know where we are headed as
18 we move through time monitoring these projects.

19 Another important component of this work has
20 been communication with regulatory agencies through
21 something like the Adaptive Management Process that I
22 just showed you, as well as working really through the
23 highest levels of some of these organizations in concert
24 with our colleagues here at the local level with NMFS.
25 We have taken the message of the opportunity of this Dry

1 Creek enhancement all the way to the top of the National
2 Marine Fisheries Service, and they were grateful that we
3 introduced NMFS's administrator, Eric Schwab, to this
4 notion. And Dick Butler and Bill Hearn brought him out
5 to the stream to see for himself, and spent the day
6 talking with local landowners, learning about how we are
7 planning for the success of this project. So very
8 excited about participation from regulatory agencies as
9 well as landowners.

10 Very briefly, some recent activities in the
11 stream. A lot of biological monitoring. The image you
12 see in the upper left-hand corner is a crew of our
13 biologists and technicians collecting fish. Those
14 juvenile fish that they found this year were restricted
15 only to steelhead, as we have seen in many previous
16 year. No juvenile coho salmon in our sampling thus far,
17 although that is an image of an adult coho salmon on the
18 right-hand side of the screen.

19 And Dr. Hearn did a very good job describing
20 the recent exciting news of pretty incredible returns of
21 those fish into some tributaries of Dry Creek. So we
22 are very hopeful that fish will be populating these
23 habitats as we create them.

24 The image in the upper right-hand corner is a
25 geotechnical engineering firm working with Inter-Fluve

1 to take a look at some of the substrate in these
2 potential constructive habitat features. That's
3 actually in that demonstration reach, and they are
4 digging a test bed to take a look at some of the
5 characteristics that lie under the streambed.

6 The fish sampling activities, and I will touch
7 on this very briefly, are coordinated. And my
8 colleague, Jessica Martini-Lamb, will describe some of
9 the data that's collected in the lower Russian River,
10 Dry Creek, as well as some of our sampling at Mirabel,
11 our major water supply facility, is providing
12 information to help us manage a lot of these flow and
13 habitat issues in the lower Russian River.

14 All of these red dots represent locations where
15 there are downstream migrant fish traps. These traps
16 are one of our principal monitoring techniques and catch
17 all three species of salmonid as they head out to the
18 ocean or as they attempt to redistribute to different
19 habitat types.

20 Just a bit of a preview of some of the
21 information. And, again, I think Jessica will get into
22 this in a bit more detail. But you can see comparing
23 the captures of fish at four of these locations, Dry
24 Creek; the mainstream of the Russian River at Mirabel;
25 Dutch Bill Creek, a tributary in the lower Russian

1 River; and Austin Creek, the three species, the various
2 life stages of these species.

3 Dry Creek is a major contributor to the chinook
4 salmon population in the Russian River, and we see
5 fairly high numbers of chinook salmon juveniles exiting
6 Dry Creek. That's a great indication that spawning
7 conditions are conducive to the survival of these fish
8 in Dry Creek. But it's important to note chinook salmon
9 do not spend any time rearing in freshwater like
10 steelhead and coho salmon do, so they are not subject to
11 some of the constraints on those populations.

12 Very noticeable that coho salmon are virtually
13 absent from Dry Creek and our captures in the main stem
14 Russian River, and that is a major concern. And we hope
15 when we are back in front of this body in five to ten
16 years we can see some reversal of that, of what I
17 believe Bill termed abysmal return.

18 So switching gears a little bit, I would like
19 to bring you back to that initial image that I showed.
20 And we are going to skip all of this work in Dry Creek.
21 In 2018 if the projects are unsuccessful, that first
22 three miles, we will revert to the planning that's being
23 done now for a potential bypass pipeline.

24 We received a draft document from HDR, the
25 consulting firm that is preparing this information for

1 us. And I will, because it is draft and has not been
2 released yet, I will only touch very generally on some
3 of the concepts. But let me tell you, there has been a
4 tremendous amount of consideration of variety of options
5 for the inlet, the pipeline routes, as well as the
6 outlet.

7 You can see that there are a variety of ideas
8 at play here, from siphoning water over the dam, to
9 moving it around either abutment. A variety of criteria
10 are applied in the screening process to come up with a
11 suite of options that will rise to the top as ranked
12 alternatives. And we are actively in the process of
13 ranking those alternatives now.

14 Very briefly, some of the inlet options involve
15 either taking water right over the dam, moving it around
16 to either abutment. Very important to partner with the
17 Army Corps of Engineers in this process. And they have
18 an obligation in the Biological Opinion to provide an
19 emergency water supply source for Warm Springs Hatchery.
20 So some of this work is contingent upon their planning.

21 In terms of the outlet, sort of the leading
22 idea at the moment is a riverbank outfall. The location
23 of that outlet can vary tremendously depending on the
24 route. And this is a simplification of the general
25 routes that are considered. There are a myriad of

1 criteria applied to determining which of these ranks
2 most highly.

3 I can tell you that the far extreme southern
4 route and the far extreme northern route look, for
5 technical reasons, less feasible than everything you see
6 in the center of that screen from Canyon Road to an
7 alignment on either side of Dry Creek, with a confluence
8 somewhere near Healdsburg. So coming soon, we will see
9 how all of these criteria result in ranked projects.

10 So just as a recap here, no more pictures
11 unfortunately, but I thought it would be good to step
12 through exactly where we are with these processes. For
13 Dry Creek, the habitat enhancements, as Bill mentioned,
14 our milestone is by the end of 2010 to have an
15 enhancement feasible study. With the opportunity that
16 this demonstration project has presented, we have added
17 a few more tasks and have completed those recently,
18 including this ten-percent design I've shown you.

19 A 30-percent design that we are right now
20 working through with the regulatory agencies and just
21 last week introduced to each landowner in this first
22 Demonstration Mile. The Current Conditions report I
23 talked about was completed recently this December.
24 Coming in February 2011 we'll present feasibility study
25 for the full 14 miles of Dry Creek, as well as the now

1 60-percent design for this Demonstration Mile. And we
2 will have drafted that adaptive management and
3 monitoring plan prepared this spring.

4 On the tributary enhancements, important to
5 mention our partners. We could not do this work were it
6 not for the Sotoyome Resource Conservation District;
7 Prunuske Chatham, very skilled local engineering firm;
8 Trout Unlimited; the County of Sonoma Public Works; and
9 the County Permit and Resource Management Department.

10 Five of those, that obligation to produce five
11 projects is by the end of next year as Bill mentioned.
12 Two of those projects have been completed and we are
13 making very good progress on another two, the Grape
14 Creek and Wallace Creek fish passage projects.

15 The fish passage projects in Mill Creek or
16 Crane Creek have fallen a bit behind schedule. Part of
17 that has to do with our need to gain full cooperation
18 from local landowners. That's a very important part of
19 our program. And we are working through some of those
20 issues, and NMFS and the resource conservation district
21 are helping us in that regard immensely.

22 Now very briefly, for the bypass pipeline
23 feasibility study, that was due essentially now, end of
24 this year, and the draft feasibility study is currently
25 being reviewed. It was submitted in September. And we

1 expect it to be released in February.

2 And if I could, for just one moment, you know,
3 there's a variety of senior staff many of you have had
4 the opportunity to meet and draft with working on this.
5 I'm simply the messenger here, but I think too seldom do
6 we recognize the really hard work of our field
7 technicians that are out in these streams everyday
8 collecting this information. Many of them are here with
9 us today, and take a brief second to introduce
10 yourselves, raise your hands and allow us to thank you.

11 Please, go right ahead. Thank you.

12 Today is actually the last day of the term of
13 their field season, and just a huge thank you to the
14 dedication of this group.

15 That's all I have.

16 CHAIRMAN KELLEY: Great. Well stated, Dave.
17 Appreciate you recognizing the staff, and especially
18 those that go out in the field and get the exciting task
19 of walking around in waders and checking things out and
20 reporting. It's very good. And I appreciate the update
21 on at least the demonstration area. As you know, it's a
22 passion of mine to see that one move forward. I
23 appreciate the update on that.

24 With that we will move to Eric Larson under
25 this particular section of the agenda.

1 MR. LARSON: My name is Eric Larson, with the
2 California Department of Fish and Game, and I've been
3 asked to present information today on what's happening
4 at the hatchery and the components of the fish hatchery
5 related to the Biological Opinion. In order to do that,
6 I need to give you a little background, so you will have
7 to bear with me as I go through a little history, a
8 lesson of how the hatchery came about and what's going
9 on there.

10 Coyote Valley Fish Facility is part of what we
11 call the Don Clausen/Warm Springs Fish Hatchery. Now to
12 a little background on the two names. The federal
13 government likes to name facilities after people and the
14 state government likes to name things after locations or
15 species. So we refer to it in the Department of Fish
16 and Game as the Warm Springs Fish Hatchery and the
17 federal government, the Army Corps of Engineers, which
18 owns the facility, refers to it as the Don Clausen Fish
19 Hatchery.

20 Part of that hatchery facility is located up at
21 the base of Lake Mendocino. And this facility was
22 constructed in 1992 by the department of Army Corps of
23 Engineers. It compensates for the spawning and nursery
24 that's blocked by the Coyote Valley Dam at Lake
25 Mendocino. And the Department of Fish and Game runs

1 this facility under contract with the Army Corps of
2 Engineers.

3 This is a picture of the facility. Most of my
4 slides today are going to be pictures as opposed to
5 graphics.

6 This facility is a steelhead trapping and
7 spawning and yearling imprint facility working in
8 conjunction with the Warm Springs Fish Hatchery. And if
9 I slip into referring to Warm Springs or Don Clausen,
10 bear with me, it's the same thing. As I said, we refer
11 to it as Warm Springs Dam.

12 The facility traps three to 5,000 adult
13 steelhead annually and spawns a percentage of those, of
14 these fish, to produce about 300,000 fish each year
15 which are released back in the east branch of the
16 Russian River. Although the adult steelhead are spawned
17 at the Coyote Valley Fish Facility, the eggs are
18 transported down to the Don Clausen/Warm Springs
19 Hatchery where they are reared for one year and then
20 transported back up to the Coyote facility where they
21 are imprinted for a period of time and then released.

22 The original mitigation back in 1992 called for
23 200,000 steelhead yearlings. Right now we are producing
24 approximately 300,000 steelhead yearlings at that
25 location.

1 The original mitigation and development of the
2 Don Clausen/Warm Springs Fish Hatchery was in
3 conjunction with the building of the dam at Lake Sonoma.
4 This is located on Dry Creek 14 miles upstream from the
5 confluence of the Russian River, and the outlet of Dry
6 Creek itself is about two miles south of Healdsburg.
7 The hatchery was constructed in 1980 by the Army Corps
8 of Engineers to mitigate for the loss of spawning and
9 nursery areas blocked by the Warm Springs Dam. Like the
10 Coyote Fish Facility, the Department of Fish and Game is
11 under contract to manage these and operate this
12 facility.

13 The original mitigation purposes for the Don
14 Clausen/Warm Springs Fish Hatchery was to produce
15 300,000 yearly steelhead, 110 coho, and about 1,000,000
16 chinook smolts each year.

17 Current mitigation at the facility includes
18 production of 300,000 yearling steelhead and 110
19 increasing each year coho fingerlings, and some of those
20 are reared to smolt size. It should be noted that
21 mitigation for chinook salmon at the hatchery ended when
22 coastal chinook became listed under the federal
23 Endangered Species Act in 1997. The hatchery chinook
24 program never really materialized since these fish did
25 not seem to really return to the hatchery very well, and

1 most of the fish that came back to the hatchery are wild
2 spawned. And since we've stopped producing chinook at
3 that hatchery the population and returns of chinook
4 noted annually to the Russian River system has actually
5 increased.

6 This is an image of the Coho Broodstock Program
7 at the Warm Springs facility. Behind that is the Warm
8 Springs Dam.

9 It became clear at the beginning of the last
10 decade that the extinction of coho salmon in the Russian
11 River watershed was imminent without immediate
12 intervention. In response to this dramatic decline in
13 the species, a multiagency collaboration initiated the
14 Russian River Coho Salmon Captive Broodstock Program
15 which began in 2001. This was in an effort to prevent
16 the extinction of coho salmon from the Russian River
17 basin. In addition to avoiding local extirpation of the
18 species, its chief goal is to reestablish a
19 self-sustaining run of coho within the Russian River
20 system and its historic habitat within the watershed.

21 Earlier Dr. Hearn sort of showed you a
22 different graphic illustrating the listing of species
23 within the Central Coast area. And this is just a
24 different graphic sort of showing the same thing of the
25 federal listing of salmon, coastal chinook salmon,

1 steelhead salmon, and steelhead. There's state listings
2 for coho salmon, as well.

3 The general approach to the captive rearing
4 program for coho is to raise them in captivity at the
5 Don Clausen/Warm Springs Fish Hatchery to sexual
6 maturity. Broodstock are then spawned and offspring are
7 planted in the tributaries of the Russian River that are
8 deemed suitable for supporting natural spawning coho
9 population based on their habitat assessment and/or
10 documented history of coho presence.

11 So these fish are being returned to areas where
12 there's cool enough water in the habitat to provide
13 opportunities for those fish over summer and then leave
14 the system and return naturally when they are sexually
15 mature to spawn, not at the hatchery but in those
16 natural settings.

17 Current mitigation, as I mentioned before, is
18 for 110 coho fingerlings and smolts. We are finding the
19 fish that we release later, if you hold them over
20 longer, so they are larger size when we put them in the
21 system, they actually have a better chance of going out
22 to the ocean and coming back than if we release them
23 when they are smaller.

24 The Evolutionary Significant Unit for the
25 Central Coast California coho, so that as you see on

1 this graphic here, those are the locations in the
2 northern part of the Central Coast is what we refer to
3 as Evolutionary Significant Unit and that's how, based
4 on genetics, we define the difference between the
5 populations.

6 It was listed, for coho, in 1996, in response
7 to recommendation by a biological review team conducting
8 a comprehensive status review of the Pacific Coast
9 salmon population, the National Marine Fisheries Service
10 changed the Central Coast coho ESU listing from
11 threatened to endangered on June 28th in 2005. The
12 Central Coast coho ESU was also listed under the
13 Endangered Species Act of California in 2002.

14 It is believed that approximately 32 streams
15 within the Russian River watershed historically
16 supported coho salmon. When the program began in 2001
17 this number had been reduced to less than five streams
18 with only one stream supporting three consecutive year
19 classes, and that was Green Valley Creek.

20 At the hatchery broodstock -- and this sort of
21 illustrates the decline of the population over time.

22 At the hatchery broodstock are reared their
23 entire lives in freshwater. The rearing tanks include
24 five small circular tanks, which are used for
25 broodstock -- used to hold broodstock throughout their

1 lives, and ten large circular tanks which are used for
2 the adult salmon to hold them once they've reach size.

3 All broodstock are PIT-tagged, meaning they
4 have a tag that can be read with an electronic wand,
5 which corresponds to the DNA samples taken from the fish
6 and allows for tracking the health, growth, and
7 development throughout their life.

8 Offspring are released into multiple
9 tributaries throughout the watershed with the hope they
10 will imprint in those streams and eventually return to
11 them to spawn as adults. Using water-filled backpacks
12 filled with aerators, crews hike along the creeks
13 releasing fish at low densities into the best available
14 habitat. The majority of the fish are released during
15 the fall of their first year and then also as advanced
16 fingerlings in the fall and in the spring.

17 This release strategy ensures that there's
18 enough time for the fish to be imprinted in their new
19 home, and at the same time bypasses the critical summer
20 months in which mortality rates are at their peak.
21 Smaller releases are also conducted in the spring of
22 their first year at the fry stage, and in the spring of
23 their second year at the smolt stage.

24 This is sort of, is a graphic picture image
25 that sort of shows the process from taking broodstock as

1 young fish, raising them to adult maturity, sexual
2 maturity at the hatchery, spawning them, tagging them,
3 and releasing them to the streams. And then there's a
4 monitoring program, as well.

5 We are now beginning to see some return to our
6 efforts, but only time will tell if this program is
7 truly successful. Monitoring activities associated with
8 the Russian River Coho Salmon Broodstock Program began
9 in 2004 under contract with the Department of Fish and
10 Game and are performed by U.C. Cooperative Extension in
11 Santa Rosa.

12 One of the changes that is in place under the
13 Biological Opinion is that this contract which was
14 originally managed and paid for through the Department
15 of Fish and Game will now be funded by the Army Corps of
16 Engineers starting in 2010.

17 This indicates where the streams are that we
18 are putting fish and it includes Dry Creek.

19 Since the first coho release in 2004 a total of
20 more than 481,000 coho have been released into 14
21 different Russian River tributaries. Although coho
22 returns have been very low due to relatively small
23 numbers of coho releases early on in the program, we are
24 beginning to see returns now.

25 In 2010 we observed 43 coho and 20 coho in the

1 winter of 2010. As of November, end of November, I
2 don't have any coho returns on record but as you heard
3 earlier we are beginning to see some of those and they
4 are beginning to be counted now.

5 This shows some of the numbers.

6 Again, this is a multiagency collaborative
7 effort. It involves all these agencies you see up
8 there, as well as the cooperation of landowners.

9 As mentioned before, in order to do
10 demonstration project on Dry Creek, in order to put
11 these fish out into the other tributaries, we need
12 access to those locations. A lot of those landowners
13 are also participating in the Department of Fish and
14 Game's Fisheries Restoration Grant Program and are doing
15 restorative work on the habitat, as well.

16 This is a steelhead, and I wanted to go over
17 some of the changes at the hatchery pursuant to the
18 Biological Opinion in relationship to steelhead. The
19 principal changes in the operation of the steelhead
20 program at the hatchery associated with the Biological
21 Opinion is a shift from isolated breeding program to an
22 integrated breeding program. By that I mean, instead of
23 taking only the fish returning to the hatchery that were
24 of hatchery origin and spawning those, we are also now
25 including native stock that are returning to the

1 hatchery as well.

2 Although they conducted under the -- under --
3 although monitoring was done and genetic sampling was
4 done in the previous isolated breeding program, the
5 Biological Opinion formalized an extensive genetic
6 monitoring program by taking tissue samples from all
7 steelhead that are spawned. These samples are sent to
8 NOAA's Southwest Science Center to be monitored for
9 genetic health of the hatchery versus the wild steelhead
10 population. The goal of such program would be to shift
11 the spawning techniques used at the hatchery to one that
12 more resembles the spawning matrix used for the Coho
13 Broodstock Program if we begin to see a divergence in
14 the genetics between the hatchery production and the
15 native stock.

16 However, it should be noted that, and it was
17 noted in the Biological Opinion, that as it states here,
18 we did not find any genetic difference between the
19 hatchery stock and native stock in the river, and that's
20 what we are monitoring for now to make sure that that
21 stays the same.

22 In response to the requirements of the
23 Biological Opinion, the Coho Broodstock Program was
24 expanded to include raising 10,000 coho smolts which
25 were directly released into Dry Creek. And this is

1 important as Dry Creek moves towards a habitat
2 restoration program, establishing areas that are
3 suitable for coho. This habitat becomes of vital
4 importance for the restoration of the species.

5 This is new fish production, and releases
6 includes as part of the restoration program for salmon
7 in Dry Creek. Due to the release of cold water from
8 Lake Sonoma, Dry Creek offers unique opportunity to
9 create coho habitat in a river system that was not part
10 of the original range for coho.

11 So in short, what's happening is we were
12 getting cold water coming out of the bottom of the dam.
13 With restoration efforts in place to create an improved
14 fish habitat on Dry Creek we are offered the opportunity
15 to raise a fish species there that did not naturally
16 occur there. This is important because other natural
17 areas within the Russian River system have been lost.

18 In order to recover the coho population in the
19 Russian River watershed it will take thousands of adults
20 returning each year. Considering that the broodstock
21 program is essentially in its infancy, there's a long
22 road ahead of us to achieve this. One critical
23 important aspect of the program is to be able to
24 accurately estimate the number of adults that return
25 each year to gauge the success of the program. This is

1 a very difficult task for many reasons.

2 The watershed is very large, the second largest
3 watershed within the Central Coast ESU, and there are
4 numerous streams that would need to be surveyed for
5 adult returns. This will be a very large-scale effort,
6 requiring lots of time and personnel.

7 Also, adult coho spawn during December and
8 January months when the flows in the river and the
9 creeks are at their peaks and they are also highly
10 turbulent. This can be a spawning surveyor's nightmare,
11 and it's extremely difficult to do. However, we will be
12 starting that process and have implemented techniques
13 that we are using already.

14 This is just a shot of the watershed to give
15 you an idea of its size. And the coho population is
16 primarily being implanted in the lower portion of the
17 Russian River, from the middle reach down, and also up
18 in Dry Creek. Coho did not naturally occur further up
19 in the system.

20 Other changes in response to Biological Opinion
21 at the hatchery. Emergency water supply line was
22 mandated under the Biological Opinion. This would
23 provide water to the hatchery in case there was an
24 electricity failure and the pumps were no longer
25 working. The Army Corps of Engineers is currently at

1 the design-level phase for this emergency supply line.
2 The development of the emergency supply line is required
3 in the Biological Opinion as a means of safeguarding
4 fish that are reared at the Don Clausen Fish Hatchery.

5 There's also an ozone system that's mandated.
6 The ozone system is a water purification system. The
7 Army Corps of Engineers is at the 70-percent design
8 phase for this right now. The cost of the system
9 skyrocketed to \$2.8 million. And in an attempt to
10 reduce the costs we are changing the design of the
11 system so it's only going to be treating with the ozone
12 the eggs in the incubation portion of the hatchery, with
13 an added filtration system for the remainder of the
14 system.

15 There's a new building proposed. As you saw in
16 that earlier slide, the coho program is outdoors right
17 now. The Army Corps of Engineers is currently at the
18 70-percent design phase level for a new building that
19 would cover the coho facility. Preconstruction for this
20 project is underway, including primary grading
21 activities and layout.

22 Additional rearing space is also being
23 constructed. This is currently underway with two
24 additional 20-foot circular tanks and 12 additional
25 start tanks for juvenile coho already in place.

1 Four new small circulation tanks purchased by
2 the Sonoma County Water Agency to accommodate any
3 returning adults of the smolts that are released into
4 Dry Creek are currently being installed by Fish and
5 Game. These tanks will be able to hold and segregate
6 individual returning fish while they wait for genetic
7 analysis to be returned.

8 So what's going to happen with the smolts that
9 are being released into Dry Creek, they will return
10 directly to the hatchery, as opposed to the coho that
11 are being put into the tributaries. This presents for
12 Fish and Game a change in our operational practices and
13 we will have to adapt to those coho coming in. We will
14 need to take genetic samples, and then those genetic
15 analyses will need to be done before we are able to
16 spawn those fish. So we will have to segregate those
17 fish once they return to the hatchery.

18 This is a picture of coho salmon in the creek.

19 There's some other changes that are happening
20 at the hatchery that we would like to mention as well.
21 Although they are not directly associated with
22 Biological Opinion, the changes associated with the
23 Biological Opinion, mandates the Biological Opinion,
24 facilitate the opportunity for us to do other things in
25 the hatchery in cooperation with the Sonoma County Water

1 Agency, and National Marine Fisheries Service, and the
2 Army Corps of Engineers.

3 The implementation of the Central Coast Coho
4 Program is not limited to the Russian River. The coho
5 population on stream systems from Sonoma County to Santa
6 Cruz are experiencing similar dramatic declines. Coho
7 from Olema Creek in Marin County, that's a tributary to
8 Lagunitas Creek, are already maintained at the Don
9 Clausen/Warm Springs Fish Hatchery as a genetic
10 contributor to the Russian River Broodstock Program.

11 While there's no official Fish and Game policy
12 on captive rearing of coho, it became clear that the
13 population within Olema and Lagunitas Creek are also at
14 a decline, and in cooperation with the National Marine
15 Fisheries Service and the National Park Service, 200
16 juvenile fish, 200 juvenile coho fish from the Point
17 Reyes National Seashore area on Olema Creek were
18 collected and those are now currently housed at the Warm
19 Springs Fish Hatchery.

20 We are in the process of developing a program
21 under the emergency coho decline scenario to continue to
22 raise those fish, and we will work with interested
23 parties to return those fish to their native habitat as
24 we rear the project.

25 Similar activities are happening with Scott

1 Creek down in Santa Cruz County. In 2002 the Monterey
2 Bay Salmon and Trout Project and the National Marine
3 Fisheries Service Santa Cruz laboratory established a
4 cooperative coho salmon propagation program, including a
5 Captive Broodstock Program as a conservation measure to
6 assist in the recovery of the fish in Scott Creek.

7 The coho salmon originated in response to
8 greatly declining numbers, the program originated due to
9 declining numbers and the broodstock program was began.
10 However, those fish, due to problems that were occurring
11 at the original hatchery with water supply, were moved
12 down to the National Marine Fisheries Service facility
13 in Santa Cruz.

14 Those fish have since been, under a cooperative
15 arrangement with Fish and Game, moved up to the Warm
16 Springs hatchery, where staff who have experience
17 raising those fish are now rearing those fish. Those
18 fish will be brought back down to the Santa Cruz
19 laboratory when they are in spawning conditions to be
20 spawned in that location.

21 That's it. Thank you.

22 CHAIRMAN KELLEY: Thank you very much, Eric.
23 Next we will move on to Mr. Dillabough and presentation
24 by the Corps of Engineers.

25 MR. DILLABOUGH: Good morning, everybody. My

1 name is Mike Dillabough, Chief Operations and Readiness
2 Division for the San Francisco district, and I brought
3 with me one of our able planners, Ms. Daria Mazey. And
4 you might be wondering why after 13 years of effort
5 Corps of Engineers is talking about authorization
6 issues, and I'm going to give you a quick executive
7 summary while we are calling this stuff up.

8 All the scientists for all four agencies,
9 Department of Fish and Game, NMFS, Sonoma County Water
10 Agency, the Corps of Engineers, all agree these efforts
11 need to take place for us to save the fish.

12 The lawyers, approximately two months before
13 the actual signing of the Biological Opinion, started to
14 make noise saying they are not sure if it was totally
15 legal with authorizations. Now, the Corps of Engineers,
16 unlike any other federal agency, doesn't have one or two
17 or three or four authorizations. We have several 1,000
18 authorizations, because that's how Congress set us up.
19 So we knew if we attempted to solve the authorization
20 problems it could be months, if not a year, of delay.
21 So we chose not to so we can start the process. And
22 even if it is out of authorization, there is a process,
23 which Daria will be talking about, as far as how we are
24 trying to get it authorized.

25 For the Biological Opinion it's about 24

1 different actions, about 16 affect the Corps, about
2 seven of those have authorization issues. Now, we have
3 had this vetted on the legal side all the way up through
4 the secretary of the Army's legal staff. They all
5 support the primary legal opinion that we do have some
6 authorization issues on some of the efforts we want to
7 undertake.

8 So with that, I'm going turn it over to Daria.

9 MS. MAZEY: Good morning. I'm very happy to be
10 here and follow-up after my esteemed colleagues who did
11 a great job setting me up to give an update on where the
12 Corps is at in terms of implementation of the BO.

13 CHAIRMAN KELLEY: Daria, I'm going to probably
14 need you to get a little closer to the microphone,
15 unfortunately.

16 MS. MAZEY: Okay. I'm Daria Mazey. I'm a
17 planner in the San Francisco district, and I'm going to
18 give a little bit -- Eric and Bill and others have done
19 a really good job already introducing the role of the
20 Corps in all of this, but we do have two projects in the
21 area, Warm Springs Dam and Coyote Valley Dam, and the
22 Biological Opinion gave the assessment that these
23 projects are -- the continued operation and maintenance
24 of these projects are jeopardizing the continued
25 existence of our beloved salmonids in the region.

1 So we do have a mitigation program that Eric
2 gave a great overview of, the broodstock program and the
3 hatchery, and the BO covers other activities and
4 recommendations that we would like to engage in in order
5 to continue improving the status of these fish.

6 So what we are already doing, we have the
7 hatchery and the broodstock program, both of which are
8 being expanded. We are already in design of the
9 emergency water supply line to the hatchery. We also
10 have a working model of a restoration project that we
11 have done on Corps land at Warm Springs Dam.

12 Mike Dillabough, through innovative methods,
13 has built a new vehicle called the MOTIV that I'll talk
14 about a little bit more, that allows us to conduct
15 inspections at the dam without fully turning off water.
16 In the past we have had to shut off water in order to
17 ensure the safety of inspectors, but this new vehicle
18 allows us to conduct these annual inspections without
19 shutting off water, which in the past has caused fish
20 kills.

21 So we have been working with all these agencies
22 in adjusting our hydrograph, which is the way that we
23 release water from the dam over time in order to mimic
24 the natural flow events that we would be seeing if we
25 didn't have a dam there. And that has so far produced

1 really positive results. The fish like it. And so we
2 are excited about that.

3 We have completed three initial appraisal
4 reports with recommendations. That's what I've been
5 busy doing over in San Francisco, pulling together all
6 of the recommendations and measures, and for the ones
7 that we don't have authority for, either because we
8 don't have an explicit authority, or because we don't
9 have money, or because it's outside of our original
10 project area, we have laid forth recommendations for
11 federal participation and the specific routes that we
12 recommended taking.

13 So we do also have an ongoing feasibility study
14 at Coyote Valley Dam to raise the dam, and this has been
15 delayed due to budget constraints, but it is something
16 that we are engaged in. And of course coordination
17 wherever possible with all these smart and able folks
18 here.

19 So here is just a little insight into the Lake
20 Sonoma working model restoration project. If you
21 haven't had a chance to see it, I encourage that you go
22 over to Warm Springs Dam and take a look. It's very
23 exciting. We have basically taken a channel that was
24 choked with non-native plants and years of sediment
25 buildup that didn't have good stream habitat, where you

1 couldn't really see the migrating steelhead.

2 There we have a picture of some folks shocking
3 and removing the fishing from the old channel, to their
4 benefit, and placing them into this newly restored
5 channel that's been reseeded with native grasses. We
6 have added river gravel and root wads and redwood logs
7 and rock, things like this that mimic the natural stream
8 water flow for returning steelhead and create those
9 pools and resting habitat that the fish so love.

10 This is a picture of the Motorized Outlet
11 Tunnel Inspection Vehicle that I touched on earlier, the
12 MOTIV as we affectionately call it, and it is the result
13 of a design competition. You know, we have a lot of
14 engineers at the Corps of Engineers, but we also have
15 some mechanics. So Mike started it out as an
16 engineering competition between the mechanics and
17 engineers to see who could come up with the best design.
18 And then in the spirit of cooperation and working under
19 one team we eventually joined these two working groups
20 together and designed this vehicle that allows dam and
21 worker safety to continue without having to shut off the
22 water and kill fish, as we talked earlier.

23 So future objectives that we have are to
24 implement the Dry Creek restoration demonstration and
25 restoration project. The work that Sonoma County Water

1 Agency is moving ahead with is very exciting, and we
2 hope to one day be able to participate once it's legal
3 for to us do so. And we are regionalizing the hatchery,
4 hopefully, as Eric talked about. You know, we have a
5 lot of expertise at the hatchery and we like to be able
6 to utilize this expertise to the benefit of the entire
7 Central California coastal environmental species, the
8 ESU.

9 And so we are also continuing the design and
10 implementation of the emergency water supply line to the
11 hatchery. We did get stimulus money to get up to 65
12 percent for this design, so we are hoping that the funds
13 will continue to flow so that we can continue this
14 important work.

15 And then we want to complete a study to look at
16 possible dam changes in terms of operations and
17 maintenance at Coyote Valley Dam in order to benefit
18 salmon. So the MOTIV solves a huge chunk of the problem
19 in terms of being able to operate and maintain the dam
20 without having to turn off the water. But if we ever
21 want to look at the bottom of the channel, and also if
22 there's ever some sort of catastrophic failure or event
23 where we do need to, in the case of an emergency to save
24 lives, to shutdown the dam, this would be bad for salmon
25 if we didn't have a bypass in place.

1 So we would like to initiate a feasibility
2 study to investigate the possibility of building a
3 bypass so that we can be ready for all possible
4 circumstances. As well as looking at ramped-down rates
5 at the dam to see if those could be further tweaked to
6 benefit fish.

7 So some more future objectives are to study and
8 implement restoration projects in the Russian River
9 watershed and adjoining coastal watersheds to improve
10 habitat for the salmonids in the ESU, and we are
11 recommending doing this work, setting the feasibility
12 that exists under our authorities program personal
13 restoration projects. And in order to do this, we would
14 need money from Congress to do it under this program in
15 the form of \$100,000 to do our reconnaissance phase.

16 We also hope to address turbidity concerns, if
17 they are deemed harmful, and we think that there's an
18 opportunity to incorporate this turbidity assessment
19 into the raising of the Coyote Valley Dam because we do
20 have existing authority there, and relocating the outlet
21 tunnel which is currently funneling clogged sediment
22 from the sedimentation pools.

23 Yes?

24 MR. DILLABOUGH: If I may interject here, it's
25 important to note that there's a little box up there

1 that says "Congress authorization study." This is a
2 typical Corps planning process. It does not mean that
3 any particular new authorization follows this pattern.
4 We laid out what our processes and policies tells us was
5 a typical policy. Congress tells us what to do. They
6 can shave off any portion of that, as far as time goes
7 on.

8 MS. MAZEY: Yeah. And I incorporated this
9 graphic in there to give you an idea of a typical Corps
10 planning process, all the way from reconnaissance to,
11 you know, having a built project and doing operations
12 and maintenance.

13 And like Mike said, we do what Congress or the
14 president tells us to, so there are ways for them to do
15 special authority that would allow us to kind of
16 streamline and -- yeah. There are other ways that this
17 could happen, but normally what happens is Congress
18 authorizes a sturdy, we do recon, set up the scope of
19 services and layout our schedule and what we are going
20 to do, and give a determination of federal interests.
21 And then we move into our feasibility stages, which is
22 where we layout our goals and objectives and
23 constraints, problems and opportunities, and come up
24 with an array of alternatives that we then access and
25 analyze, as far as what the expected effects would be on

1 the economy and the environment and other social
2 effects.

3 And then we take all of these things into
4 consideration and recommend a plan. And then it's
5 ultimately up to Congress to decide which plan, if any,
6 they would like to continue to fund for construction,
7 and then we go into preconstruction engineering and
8 design.

9 And then again, before construction happens for
10 large projects, we are required to get additional
11 authority. And this is all to ensure proper spending of
12 federal dollars. And then once the construction is
13 over, we go into operations and maintenance and
14 monitoring, and that is normally turned over to our
15 non-federal sponsors, but in the case of these dams they
16 are Corps operated and maintained.

17 So as you can see, the cost sharing is
18 different for each phase, and depending on whatever
19 authorization we do get to do this work, that would be
20 explicit in the authorization for that.

21 So with that, I'd invite you to shoot any
22 questions my way.

23 CHAIRMAN KELLEY: All right. Thanks.

24 I know we still have the estuary side, but any
25 questions here?

1 Mr. White?

2 MR. WHITE: Yeah, just to clarify, are you guys
3 saying that you are going to, instead of implementing
4 your mandates like everyone else has to go through the
5 feasibility process before you can do it?

6 MR. DILLABOUGH: For those portions of the
7 Biological Opinion that we have authorization for we are
8 already implementing. For those portions that we do not
9 have authorization for, we have to seek authorization.
10 And we have gone all the way up to headquarters USACE
11 asking them how we can do this, and the answer is, we
12 must follow the processes and policies.

13 And therefore what we have started is what we
14 call a 216 process. Basically we put -- Daria put
15 together some paper that outlines the whole issues, and
16 that's been sent up through headquarters. From there we
17 will attempt to put it into budget for authorization.

18 It depends on headquarters USACE office of
19 budget and management, the president, whether or not it
20 gets actually into the president's budget. And it also
21 depends on Congress, on whether or not they put it into
22 the budget they eventually sign. We can't do anything
23 until it's authorized by Congress as far as those we
24 don't have authorization for.

25 Somewhat clear as mud?

1 CHAIRMAN KELLEY: Yeah, it is pretty clear as
2 mud. And, you know, let me just make a quick comment
3 here. I hope that the Corps can understand that there
4 are certain folks that are really both exasperated,
5 frustrated, and perturbed by the Corps' assertion that
6 there are portions of the elements of the Biological
7 Opinion that are not authorized.

8 And I think there's some concern about how long
9 this is going to take. This is a 15-year Biological
10 Opinion, and I happen to know that going through certain
11 feasibility studies -- first reconnaissance then
12 feasibility and then on, will probably take about 150
13 years.

14 And so I think there's some that would assert
15 that ESA really trumps the aspects as it relates to
16 quibbling over authorization. You know, it actually is
17 fairly simple, kind of simple math. The Corps' project
18 costs and obligations out of the Biological Opinion, you
19 can pretty much do it five million a year for 15 years.
20 If you wait until the very, very end, you know, coming
21 up with 80 to \$100 million is going to be pretty tough.
22 I think we all know that when we have the current
23 operational budgets.

24 And, you know, I think if, yes, it is true that
25 Congress can make both a direct and/or blanket

1 authorization as implementing the Biological Opinion,
2 and there's certain of us that have worked very hard to
3 try to get that to happen. But, you know, we can say
4 getting anything done by an act of Congress also has its
5 on challenges.

6 And I think there would be some that would
7 assert, at least up on this dais, myself included, that
8 if it's something that can be put into the president's
9 budget, the president's budget will be looking at the
10 Corps for direction for that. And I think there would
11 be some of us that would encourage the Corps to be
12 telling the administration that this should be included
13 regardless of authorization quibbles.

14 So I know that there's a challenge. You've got
15 lawyers, we've got lawyers. And I know that, you know,
16 you can have all the great lawyer jokes you want about
17 how challenging it is to get a direct answer or
18 something you want out of them.

19 So those are just my own injected comments.

20 MR. DILLABOUGH: We have actually put it into
21 the president's budget for two, no, three years running.
22 Now, unfortunately it hasn't been funded yet. Part of
23 that I believe is -- we believe it's because it's below
24 the radar of the Presidential level as far as
25 authorizations are concerned.

1 MS. MAZEY: And I think one thing that I wasn't
2 really clear on until recently is that when our lawyers
3 say we need authorization, part of what they are
4 including in that is if we don't have appropriations, as
5 in money, then it's not authorized, because we can't use
6 money that was given to us for other projects to do this
7 per se. We need specific money that's given to us for
8 these types of activities.

9 And so, you know, for smaller amounts that, you
10 know, is easier to come by, maybe, but for things like
11 the Dry Creek restoration, which is estimated at 40
12 million, we really do need that additional
13 appropriation. So even if we had an existing authority
14 that we could argue for, until we have that money, you
15 know, it's not within our ability.

16 CHAIRMAN KELLEY: All right. Any other
17 questions or comments of --

18 MR. WHITE: I would like to finish my thought.

19 CHAIRMAN KELLEY: Yes, Mr. White. I was trying
20 to help you there.

21 MR. WHITE: Yeah. And I echo a lot of what you
22 are saying, but I find it particularly frustrating, and
23 sort of ironic that the people that have developed the
24 ESA, the federal government, are the only people at the
25 table that are so far not complying. And it's really

1 not funny. There's 100s of people in this valley that
2 are being forced to comply with the ESA, which is a good
3 thing. Didn't have it in their budget and didn't have
4 it in their policy manual, but it didn't absolve them
5 from satisfying their legal obligation because they were
6 unorganized to deal with unforeseen things. And I think
7 all of this rigmarole is just ridiculous.

8 CHAIRMAN KELLEY: Appreciate that, Sean. I'll
9 just remind you that a portion of the federal government
10 is complying with the ESA; right? They are giving us
11 direction to deal with it; right?

12 Yes, Mr. Butler.

13 MR. BUTLER: I would like to say that we have
14 implored the Corps to accept its Endangered Species Act
15 responsibilities, and that's why we have the progress we
16 have. I'm still hopeful. In the Biological Opinion, we
17 basically set out a five-year schedule to get some of
18 these things done in order to avoid jeopardy to the
19 species. We are into it two years. We have about three
20 years to figure this out, the Corps does, to figure it
21 out, or we are going to be back to the table redoing
22 another consultation.

23 CHAIRMAN KELLEY: Okay. All right.

24 Yes, ma'am.

25 MS. DeIONNO: My name is Barbara DeIonno and

1 I'm from Forestville.

2 CHAIRMAN KELLEY: Could you spell that?

3 MS. DeIONNA: D-e, capital I-o-n-n-o.

4 CHAIRMAN KELLEY: Thank you.

5 MS. DeIONNA: My question was, why it was part
6 of the process to petition for permanent change in the
7 river flow before hearing from the public and before
8 assessing the possible effects for fish in the lower
9 river.

10 CHAIRMAN KELLEY: All right. Thank you.

11 Well, briefly I can answer that question. It's
12 not only called out in the Biological Opinion, it spent
13 over eight years going through a biological assessment
14 process, of which this body had multiple public venting
15 of that. And it also, once you have to go through the
16 process of doing the temporary urgency changes and then
17 the permanent flows, that also has complete public
18 process and input. And then ultimately the State Water
19 Board will also have their hearings, of which there will
20 be public input in process.

21 Yes, ma'am.

22 MS. WILSON: Hi. Laura Wilson, Johnson's
23 Beach, Guerneville, co-owner, manager.

24 I guess it's time to jump in about water
25 quality again. Darrell kind of brought it up a little

1 bit, but I would just like to happily report that in '09
2 we had 14 positive bacteriological tests at Johnson's
3 Beach, which we had had zero since -- excuse me -- one
4 since 1967, E. Coli, when there was a major sewage
5 spill. I'm happy to tell you that in 2010 we have zero.
6 In '09 up and down the river there were multiple
7 positive tests for tetracoccus.

8 I was curious about the estuary tests. I don't
9 think I followed up on in '09, did the estuary also have
10 positive tests?

11 So water quality, to me, is the bottom line in
12 this whole thing. If we don't have water quality, we
13 don't have anything.

14 And Pam, are those comments, the summary of the
15 comments going to be available for public viewing?

16 Okay. Thank you everyone. If you have any
17 comments about water quality I would really appreciate
18 hearing it.

19 CHAIRMAN KELLEY: Thank you.

20 I would like to take this opportunity to move
21 to the estuary, because I know there have been some
22 questions on that, and I want to make sure some of those
23 get reviewed before we get to other public comment.

24 With that, we will have Jessica Martini-Lamb,
25 our Principal Environmental Specialist for the Sonoma

1 County Water Agency.

2 MS. MARTINI-LAMB: Good morning. I'm still
3 getting over a bit of a cold here, so excuse my voice.

4 I'm going to give an update on the estuary
5 management project. So as Bill Hearn mentioned, we have
6 completed year two, and so I'm going to talk a little
7 briefly about tasks that have been completed under the
8 estuary reasonable and prudent alternative portion of
9 the Biological Opinion, as well as lagoon management and
10 breaching that occurred in 2010, our biological water
11 quality monitoring, and permits and CEQA processes that
12 are currently ongoing.

13 The Biological Opinion has several mandates
14 that are required in the estuary. This year one of them
15 was part of the flood risk feasibility study of the
16 estuary. And the Water Agency was required to submit a
17 preliminary list of properties, infrastructure, and
18 structures that could potentially be inundated if the
19 barrier beach at the mouth of the river closed and was
20 allowed to naturally breach. No artificial breaching
21 would occurred. So we submitted this preliminary list
22 to NMFS in March of this year.

23 And we also have been doing monthly beach
24 topographic surveys. This is a requirement year-round
25 in the estuary. So we have been going on each month and

1 taking surveys of the beach. It helps us to sort of
2 track how the beach formation changes over time. And we
3 did this work in accordance with the Marine Mammal
4 Protection Act and the authorization that was issued to
5 the Water Agency. So there's a biological monitor
6 present during all these topographic surveys.

7 We also have a requirement in the Biological
8 Opinion to install a time-lapse camera at the mouth of
9 the river. It was working earlier. It's not working
10 now. Well, if it --

11 CHAIRMAN KELLEY: It will come up. The little
12 squirrels on that computer take longer.

13 MS. MARTINI-LAMB: The purpose of this
14 time-lapse camera, and if you see it you would see it
15 transitioning through a series of images. It documents
16 changes to the barrier beach that will hopefully help us
17 understand how sediment transport and wave interaction
18 change the beach morphology, and help us inform our
19 adaptive management process at the estuary.

20 So the camera was operational beginning in June
21 of this year. Initially it took photos every 30
22 minutes. It runs 24 hours a day. And now it takes
23 photos every 15 minutes. It allows for photographs
24 basically in this area that you can see here from the
25 existing jetty north.

1 And we are currently working with Bodega Marine
2 Lab to set up the equipment that would be necessary to
3 make this camera more of a real-time access camera. The
4 camera would still take photos on a 15- or five-minute
5 basis, but it would allow us to download the data, the
6 images, remotely rather than having to send staff out
7 weekly to download the images. So it will give us
8 information sooner than we currently are able to access
9 information.

10 CHAIRMAN KELLEY: Oh, well.

11 MS. MARTINI-LAMB: Sorry about that.

12 So a quick summary. Bill Hearn already went
13 through some of the beach management activities this
14 year, but so far in 2010 we have had six barrier beach
15 formations and closures at the mouth.

16 During our lagoon management period, which is
17 May 15 through October 15, we had one opportunity to
18 implement the lagoon management outlet channel. And
19 this was implemented in accordance with the Adaptive
20 Management Plan that was submitted to National Marine
21 Fisheries Service and Department of Fish and Game in
22 April for the review. We have an Adaptive Management
23 Plan due to NMFS every April for review in anticipation
24 of implementing the outlet channel in the following
25 summer.

1 So the top image here is the barrier beach open
2 or the sandbar open with the flow of the river sort of
3 extending northwest across the beach. It closed on July
4 4th, and the image in the middle here is the closed
5 barrier beach on July 7th.

6 We coordinated with National Marine Fisheries
7 Service, Department of Fish and Game, and State Parks,
8 as well as our partners Stewards of the Coast and
9 Redwoods for our pinniped monitoring, and implemented
10 the outlet channel on July 8th.

11 And the image on the bottom here is the outlet
12 channel after it was created that day.

13 And our Adaptive Management Plan actually, in
14 terms of failure of the outlet channel, it actually
15 erred on the side of closure. So we would prefer that
16 the outlet channel actually close due to wave action
17 rather than scour open and create tidal action again.

18 So in terms of sort of success of the Adaptive
19 Management Plan, we were successful in implementing the
20 outlet channel. It closed during a very high wave event
21 and during high tide that evening. It was Thursday
22 afternoon when we implemented the outlet channel, so we
23 scheduled another maintenance in the outlet channel for
24 the following Monday, avoiding the weekend per our
25 temporary use permit from State Parks. We avoid doing

1 work on the beach during weekends to reduce impacts to
2 visitor use on the beach.

3 However, that Sunday evening it breached just
4 behind Haystack Rock there and stayed open and tidal for
5 the remainder of the season.

6 We had two closures at the end of the lagoon
7 management season during some really significant wave
8 events. The first one was September 21st and the second
9 one was October 4th. And very similar conditions. We
10 had really high wave events that, with the first closure
11 in September, we actually had planned on implementing
12 the outlet channel, but because the waves were so big
13 and we couldn't put equipment on the beach, it posed a
14 safety concern.

15 Water elevations in the estuary got up to about
16 seven feet, and so after consultation with NMFS and Fish
17 and Game we decided to go ahead and artificially breach
18 the estuary to avoid any flooding of low-lying
19 structures. And it was so late in the season there was
20 little opportunity to really create the water quality
21 conditions that we were hoping for for the benefit of
22 rearing steelhead.

23 We had another closure at the beginning of
24 October under really similar conditions. Very high wave
25 events that prevented us from getting out on the beach

1 early on. And this is also around the same time that
2 releases out of Lake Mendocino were increasing to lower
3 the flood -- the water level behind Coyote Valley Dam
4 down to the flood stage. So we ended up artificially
5 breaching that time, as well, in order to avoid flooding
6 with the estuary.

7 Since then we have had two closures, one in
8 October and one in November. Both of those ended in
9 natural breaches.

10 In 2010 we continued to do the monitoring,
11 ongoing monitoring of the estuary as required by the
12 Biological Opinion. From May through November we did
13 continuous water quality monitoring for temperature,
14 dissolved oxygen, pH, and salinity. And we also added
15 nutrient and bacteria monitoring as part of the
16 Temporary Urgency Change Petition requirement here in
17 the estuary.

18 We continued monitoring at the stations at the
19 mouth, at Patty's Rock, Bridgehaven, Sheephouse Creek,
20 and Freezeout Creek. And we also added additional data
21 sondes at Monte Rio and the confluences with Willow
22 Creek and Austin Creek this year.

23 We have continued working with the Bodega
24 Marine Lab. They're doing more detailed water quality
25 analyses as part of their efforts to better understand

1 circulation patterns in the estuary and water
2 stratification that occurs when the estuary closes. So
3 they have continued those efforts.

4 We did another season of invertebrate
5 monitoring in coordination with the University of
6 Washington, a wetlands ecosystem team, where we looked
7 at benthic invertebrates, epibenthic invertebrates,
8 zooplankton. And this effort is really focusing on
9 understanding the distribution and abundance of prey
10 items for juvenile steelhead in the estuary and how
11 those prey items respond to changes in estuary
12 conditions.

13 We also continued our pinniped monitoring, seal
14 monitoring, in coordination with the Stewards of the
15 Coast and Redwoods. And they are a great group of
16 volunteers that are working on this effort. So we
17 continued our twice monthly pinniped baseline monitoring
18 at the Jenner haulout, as well as alternate haulout
19 locations on the coast and in the river. And we did
20 monitoring as well before, during, and after any beach
21 management activities.

22 And then beach seining, which we have been
23 doing since 2003, continued from May to October this
24 year. And actually we had an increased effort this
25 year. We essentially doubled the number of seine pulls

1 and redistributed the locations that we were doing the
2 seining in the estuary. The seining this year really
3 was important in gathering the diet samples for the
4 invertebrate prey analysis, as well as recapturing
5 salmon that were PIT-tagged during our downstream
6 migrant tracking efforts. I'll talk a little bit about
7 that next.

8 So you may recall from last year's PPFC
9 meeting, I talked about some of the challenges we had
10 with our downstream migrant trap at Duncans Mills. It's
11 a fyke trap. And last year we were having some
12 difficulties with the high water temperatures in the
13 upper estuary, which over 21 degrees celsius we are only
14 able to count the number of fish, we are not able to
15 handle fish, or if you tag them at those temperatures
16 above 21 degrees celsius.

17 We also had some challenges with high flows in
18 the estuary in the spring making it difficult to operate
19 the fyke. And when the estuary closes the backwater
20 effect in that portion of the estuary basically made it
21 difficult to operate the fyke as a trap. So we weren't
22 really able last year to get a good handle on the timing
23 of juvenile steelhead entering into the estuary.

24 But after much discussion and consultation with
25 NMFS and Fish and Game over the last winter we developed

1 a plan that we think really did help to improve our
2 downstream migrant trapping. We accomplished it by
3 adding additional trap locations, so we've got rotary
4 screw traps in Dry Creek and at our facilities at
5 Mirabel.

6 And in addition to those efforts we added a
7 pipe trap at Dutch Bill Creek and a rotary screw trap in
8 Austin Creek, which later on in the season as flows
9 declined in Austin Creek we changed to a funnel trap.

10 We also increased the number of steelhead, wild
11 steelhead parr that we had tagged, and did PIT-tagging
12 not only at Dry Creek and the Mirabel facility and
13 during seining efforts whenever we caught wild
14 steelhead, we also PIT-tagged them at the trap at Dutch
15 Bill and Austin Creek.

16 We modified the Duncans Mills fyke net, which
17 is located in the main stem part of the river near the
18 Monte Rio Fire Station, by including a PIT-tag antennae
19 to the trap and adding a video camera system to the
20 trap. This allows us some flexibility to operate the
21 fyke either as a trap with a live well or as an open
22 funnel, sort of flow-through funnel during high flows or
23 high water temps in the estuary or when the estuary was
24 closed. So when it was operated as a funnel basically
25 the fish would swim through the trap, be detected, and

1 then be able to swim back out downstream.

2 We also added a PIT-tag antennae on Austin
3 Creek to monitor the movement of tagged fish outside
4 of -- as they moved out of the creek. We will see if
5 this works.

6 So as you see in the lower right-hand corner,
7 this is a photograph of the fyke net. It includes two
8 wing walls and a funnel net. The wing walls end in a
9 funnel net, and a pipe that's attached to the live well,
10 and it's this sort of little metal box you see on the
11 bottom right-hand corner.

12 Around the pipe we fitted a PIT-tag antennae
13 that's sort of like a collar around the pipe. And then
14 the video camera actually, and this is the image from
15 the video, recorded fish as they moved into the estuary.

16 And this is not working either. I apologize.
17 They were working earlier today.

18 So if it was working you would see that our
19 video system ran 24 hours a day and captured both
20 daytime and nighttime images. There's a light inside
21 the box that was able to light up the video system area
22 and capture the movement of the steelhead and chinook
23 downstream.

24 What we showed in this video was actually a
25 number of juvenile steelhead actually moving downstream

1 backwards, which is something I learned this year for
2 the first time, that a lot of these juvenile steelhead
3 are actually facing upstream as they swim downstream,
4 and migrate downstream.

5 And then we also captured a number of chinook
6 smolts moving downstream. And you often see the
7 steelhead sort of lingering in the box, and the images
8 show the chinook smolts just flying right through the
9 camera. So they are definitely headed out of the
10 system.

11 So we started operating this system at the end
12 of May, and we operated it through September with about
13 a five-day gap during high flows in the early spring.
14 We have observed -- we have watched all the video
15 through the end of July and some of August and
16 September. The video system here takes much longer to
17 watch the images than our video camera at the Mirabel
18 facility. So it's a much bigger effort.

19 But so far we have observed 1,100 fish moving
20 through the fyke trap. Seven hundred seventy-one of
21 them have been identified as salmonids, of either
22 steelhead, chinook, or coho. And there's an additional
23 150 that are identified as unknown salmonids. So we
24 weren't able to get good enough look at them to identify
25 which species they are.

1 So represents about 465 steelhead that we have
2 observed, 202 chinook smolts, and 104 coho in the
3 camera. So we feel like we were really successful this
4 year at making this fyke net work.

5 So the modifications to the trapping effort and
6 our increased seining efforts really did help in
7 increasing the number of detections of steelhead in the
8 estuary and the number of tagged steelhead that we were
9 able to recapture in the estuary this year. So this is
10 preliminary information on 39 PIT-tagged wild steelhead
11 that were recaptured during our seining efforts this
12 season.

13 A couple things to note about this image, is
14 first when you are looking at the graphic here, the
15 Y-axis is the average growth of individuals in
16 millimeters per day. The bottom axis is the date on
17 which these fish were recaptured.

18 And then on the bottom I wanted to show sort of
19 a scale of, give you a scale of what these fish look
20 like at these various fork lengths. So it's important
21 to note that fish that are captured earlier in the
22 season obviously are smaller than fish that are captured
23 later in the season. So the sizes here don't
24 necessarily correspond to where they were recaptured,
25 it's just a function of the timing that they were

1 captured.

2 And also that the images of the steelhead, it's
3 just a single steelhead that's sort of rescaled
4 proportionally for the different fork lengths. So as
5 the steelhead mature during the season, they don't quite
6 look the same as they do in these images. They don't
7 have the distinct parr marks that you see sort of at the
8 far right later in the season. But what this
9 preliminary information does tell us is that we are
10 starting to see some really good growth data of
11 steelhead in the estuary.

12 Early in the season, if you look at the blue
13 diamond shapes here and on the bottom right left-hand
14 corner, we were capturing steelhead at about 65
15 millimeter length in the Austin Creek trap, and
16 recapturing them during our seining efforts in the upper
17 estuary. And we define the upper estuary basically as
18 Austin Creek down to Sheephouse Creek. And we are
19 seeing that individual steelhead on average were growing
20 about 1.1 millimeters per day in that capture area.

21 Steelhead that were tagged during our seining
22 efforts in the upper estuary and then also recaptured in
23 the upper estuary, most of them were recaptured around
24 Heron Rookery and Sheephouse Creek, and I believe one
25 was recaptured in the vicinity of Casini Ranch, showing

1 an average growth of about 0.6 millimeters per day, or
2 six-tenths of a millimeter per day.

3 An interesting observation this year is that in
4 the lower estuary we repeatedly captured these
5 PIT-tagged steelhead at the confluence with Jenner
6 Gulch, so it was sort of a reliable location to keep
7 going back and capture these PIT-tagged steelhead. We
8 were able to actually recapture 22 steelhead in this
9 location this season, and the average growth of
10 individual steelhead in this area was about eight-tenths
11 of a millimeter per day.

12 So we really feel that the sort of increased
13 effort in our downstream migrant trapping and our
14 seining efforts this season have been really helpful in
15 obtaining more data on the timing of steelhead entering
16 into the estuary, as well as their relative numbers and
17 distribution in the estuary. And we will be doing
18 ongoing analysis on the data from this year.

19 So I'm going to transition over to permitting
20 and CEQA efforts this year for the estuary.

21 As you may recall from last year at this time
22 we were in the process of applying for an Incidental
23 Harassment Authorization from the National Marine
24 Fisheries Service under the Marine Mammal Protection
25 Act, and a permit was issued to the agency in April of

1 this year. It included a number of mitigation measures
2 and beach management conditions to minimize impact to
3 the harbor seal haulout, particularly during the pupping
4 season, which is from March 15th to June 30th.

5 The Incidental Harassment Authorization limits
6 the number of consecutive days that equipment can be
7 operated on the beach. And it also limits access to the
8 beach during the pupping season when there are neonates,
9 which are seals that are less than a week old, are
10 present on the beach. We didn't have any closure during
11 the pupping season this year, so our first management
12 action this summer wasn't until the beginning of July.

13 We have also began a new CEQA compliance
14 process in order to obtain new state permits for the
15 estuary management actions, and notice of preparation
16 was issued in June of this year. And we held two public
17 scoping meetings, one in Jenner and one in Santa Rosa,
18 to obtain public comment on what should be evaluated in
19 the EIR, as well as alternatives that should be
20 considered.

21 So the Water Agency board of directors will be
22 considering release of the draft EIR for a 60-day public
23 review at their December 14th meeting. So their meeting
24 is tomorrow. And if authorized to release the EIR it
25 will -- the review period will be December 15th through

1 February 14th.

2 In the meantime, we have started submitting new
3 permit applications to the California Department of Fish
4 and Game, North Coast Regional Water Quality Control
5 Board, State Lands Commission, and the Coastal
6 Commission to begin the new permitting process. And
7 obtaining these new permits will be dependent on
8 finalizing and certifying the EIR.

9 To answer, I think it was Brenda's question,
10 about how changes, permit changes to Decision 1610 are
11 addressed in the estuary EIR. We are addressing them in
12 the cumulative impact analysis section of the EIR.

13 And then looking forward to year three, we are
14 planning, of course, to continue our biological and
15 water quality monitoring in the estuary, including our
16 coordinated efforts with Bodega Marine Lab, University
17 of Washington, and Stewards of the Coast and Redwoods.
18 By April 1st we have a revised or updated lagoon
19 Adaptive Management Plan due to National Marine
20 Fisheries Service and Department of Fish and Game for
21 their consideration.

22 We hope to have a public review period for the
23 draft EIR, and hopefully final EIR by spring of this
24 year, and we will be working on obtaining new permits,
25 as I mentioned, including one for a new Marine Mammal

1 Protection Act and the Incidental Harassment
2 Authorization permit in 2011.

3 And then we are also going to begin the jetty
4 study that's required by the Biological Opinion. The
5 purpose of the jetty study is to learn if modifying or
6 removing the existing jetty or the remnants of the
7 existing jetty could benefit the management of the
8 estuary as freshwater summer lagoon.

9 Hopefully we will better understand how the
10 jetty affects beach closure and if it is functioning as
11 a barrier for the migration of saltwater through the
12 sandbar when the sandbar is closed, or if it's actually
13 helping the saltwater percolate through the sandbar.
14 And that's a really important thing to understand in
15 terms of being able to successfully manage the estuary
16 as a summer lagoon.

17 So with that, this is just an image of one of
18 the PIT-tagged steelhead we recaptured late in the
19 season this year.

20 I'm open to any questions.

21 CHAIRMAN KELLEY: Thank you.

22 All right. Let's have a few questions from the
23 committee here, and then we will move to the next item,
24 public comment.

25 MR. HOWARD: Dr. Hearn indicated in his

1 presentation there was a possible illegal breach or
2 natural breach at the estuary. Did you determine what
3 that was, and will it happen again with all your cameras
4 and the rest of the stuff?

5 DR. HEARN: I'll take a shot at that. Our
6 staff looked at it and looked at the situation and where
7 it breached, and it seemed what we thought was
8 suspicious, if you will. It seemed to break in a place
9 that seemed like, Why would it break there? Why
10 wouldn't it have gone more over to where we had already
11 lowered the profile of the beach? But we didn't have
12 any real hard evidence.

13 I know that Sonoma County Water Agency looked
14 at it, they seemed to think, No, this is a natural
15 breach.

16 We really don't know. I think it's up in the
17 air whether it was or was not an illegal breaching, but
18 we will be looking more closely and monitoring in the
19 coming year.

20 MS. MARTINI-LAMB: As Bill mentioned, we didn't
21 quite come to consensus on the review of the video
22 camera images and whether or not it was a natural breach
23 or someone helped it along with some shoveling. I
24 think, you know, that it was probably a natural breach
25 on a low spot on the bar, but we don't have to agree on

1 everything.

2 But we did change the timing of the camera in
3 response to that. We changed it from every 30 minutes
4 to every 15 minutes to capture more frequent images of
5 the beach.

6 MR. HOWARD: But there was no bulldozer tracks
7 going to the beach?

8 MS. MARTINI-LAMB: No, it actually breached
9 just north of what we call Haystack Rock, and right
10 behind the rock. So the video or the camera image
11 couldn't really capture what had happened until you
12 start seeing the water surface elevation sort of
13 increase and then you see the mouth scouring out and
14 opening up. So you couldn't really get a picture of
15 what was happening behind the rock there.

16 MS. KUHLMAN: I actually have two questions.

17 The first is for you, Jessica. I was wondering
18 if the monitoring data, the water quality monitoring
19 data, that was going to become available fairly shortly,
20 in advance of the EIR or after the EIR? We were
21 wondering when we would be able to get a look at that.

22 MS. MARTINI-LAMB: The Temporary Urgency Change
23 Petition requires a water quality monitoring report, so
24 all that information will be available as part of that
25 report. We are working on an annual report right now,

1 that we hope to have out next month, with our data from
2 2009 for the estuary that covers the overall season of
3 monitoring. And then Bodega Marine Lab just recently
4 finalized their report for 2009, and that will be
5 available soon. I haven't yet sent it to your office,
6 but I will be doing so this week. And that will be
7 available, as well.

8 MS. KUHLMAN: Thank you.

9 The second, actually more of a statement that I
10 feel somewhat obliged to make on the water quality piece
11 of this, is that we continue to be concerned about the
12 amount of monitoring data that's being done for water
13 quality to support D1610, and we are in ongoing
14 discussions with your office, but that still is a place
15 where there is some -- we need to have more dialogue and
16 perhaps come to a richer monitoring program to be able
17 to have the information we need when you complete your
18 EIR to be able to make conclusions about the effect of
19 the low flow on water quality.

20 MS. MARTINI-LAMB: All right. You are
21 referring to the permit changes to the Decision 1610,
22 about those?

23 MS. KUHLMAN: Yes.

24 MS. MARTINI-LAMB: Okay. Thank you.

25 CHAIRMAN KELLEY: Supervisor Carrillo.

1 MR. CARRILLO: Thank you, Mr. Chair.

2 I actually had a similar question regarding
3 water quality, but there was another question asked
4 during public comment around the CEQA documentation
5 specific to the estuary and the relationship between the
6 flows, and the response of that was that it was going to
7 be analyzed in the cumulative impact of the full EIR.

8 How is that going to be addressed, assuming
9 that you've two or three different EIRs around the same
10 project?

11 MS. MARTINI-LAMB: So the estuary management
12 project, we have moved towards the EIR effort on that
13 project. The reason why is because in the springtime,
14 as Bill mentioned in his presentation, the beginning of
15 the management season for the lagoon management period
16 starts May 15th, and depending on what the flows are
17 into the estuary at that time of year, we sort of have
18 to be prepared to manage the estuary as a summer lagoon
19 regardless of what those flows are. So really it's sort
20 of independent of flow changes, we still have to move
21 forward with managing the estuary as a summer lagoon.

22 So the EIR really focuses on sort of the range
23 of flows that we might anticipate receiving in the
24 springtime, and also does consider the potential future
25 changes to Decision 1610 minimum instream flow

1 requirements, but as a part of the cumulative analysis.
2 So those flows are within the range that are evaluated
3 for the springtime flows at the estuary.

4 The permanent Decision 1610 changes has its own
5 separate CEQA requirements. It will also look at
6 changes in the estuary but an accumulative impact
7 analysis. And by the time the draft EIR for permanent
8 changes for Decision 1610 is issued in the summer of
9 2012, hopefully the estuary EIR will be certified.

10 So we feel the estuary management project has
11 what we call independent utility here, and we move
12 forward with the CEQA effort.

13 We also needed to obtain -- we needed a new
14 CEQA document in order to obtain state permits. State
15 agencies can't issue any permits without CEQA. So we
16 had to move forward with that effort.

17 MR. CARRILLO: Thank you, Jessica.

18 That's the reason for my question, was that
19 it's a constant question that gets asked with a variety
20 of scoping sessions, and I think it's important to keep
21 the clarity of why this is moving in this process. And
22 I think ensuring that we continue to offer that message
23 I think is important because I think the question keeps
24 coming up. I don't know if it's the way that the
25 question is answered and/or it's just, you know, part of

1 the process. So I did want to ask the question so that
2 it would be on record.

3 CHAIRMAN KELLEY: Thank you.

4 We will move to the portion of our agenda for
5 any other general public comments of anything that we
6 haven't already covered. And if you would come forward
7 and state your name and your comments, and keep your
8 comments to three minutes.

9 Yes, Darrell.

10 MR. SUKOVITZEN: Darrell Sukovitzen.

11 Earlier this year at the scoping session up in
12 Windsor, David Keller and I opened up very open and
13 interesting dialogue with the Water Agency staff, and
14 although they made it very clear that the board of
15 directors has not issued clear directive on this
16 particular topic, they were very open with us in talking
17 about it and saying that they have discussed it
18 internally, that is, water storage under the Santa Rosa
19 valley aquifer.

20 So I think my question is to the Water Agency
21 staff and Bill Hearn regarding the flow, water flow that
22 will be potentially dropped in part to maintain the
23 estuary for rearing ground.

24 What's going to happen to the water that will
25 not be coming down the river, seeing as the Water Agency

1 has quite a responsibility in providing their contracts
2 with the cities and Marin? Perhaps oversold the water.

3 So again the question is, what would happen to
4 the water that will not be going down the river under
5 the current and most recent years?

6 CHAIRMAN KELLEY: Thanks, Darrell.

7 Let me take any other public comment. Anybody
8 else wish to address the PFFC at this point?

9 MS. ADELMAN: Brenda Adelman, Russian River
10 Watershed -- I can't remember the name of my own
11 group -- Protection Committee. Anyway, thank you for
12 having this meeting today.

13 I think I wanted to reframe the question I
14 asked earlier about the connection between the Decision
15 1610 EIR and the estuary EIR. I still have concerns,
16 but I don't feel they are going to be addressed in this
17 venue.

18 But to put it another way, if flows in 2009
19 were under the 70 CFS and the estuary didn't close, why
20 do you think this project's going to work? And in
21 addition to that, in spite of the Temporary Urgency
22 Change Petition this year and lowered flows from the
23 dam, flows at Hacienda still average 260 or so CFS for
24 the whole summer. Why do you think you are going to be
25 able to even have this project work in a wet year

1 scenario?

2 So these are questions I've been asking quite a
3 bit, and no one seems to have a response that resonates
4 for me. Anyway, maybe there's something I don't
5 understand.

6 I'm concerned that so little water quality
7 data, good water quality data, especially in regard to
8 nutrients, is yet available, and yet probably tomorrow
9 you are going to release the EIR on the estuary.
10 There's approximately 20 miles of river between the
11 Mirabel facility and Duncans Mills and the estuary, much
12 of it not adequately being addressed in terms of the
13 impacts of the lowered flow.

14 And I know that's supposed to happen in this
15 EIR that's going to take place, but I was very
16 disappointed in the kind of scoping meeting that was
17 held. I expressed my concern about it, where there were
18 just stations set up where people could come and ask
19 questions. I know the people in the lower river
20 community were very concerned about this issue, and only
21 35 showed up, which is a much lower number than what
22 usually attends. And those people who did attend said
23 they were very upset at the way the scoping meeting was
24 held. I requested on numerous occasions to have a
25 regular meeting where presentations are made and

1 questions from the public are fielded so they can hear
2 one another's questions; that did not happen.

3 So at any rate, I'm concerned about the
4 information on properties concerning flooding in the
5 estuary. This is a critical issue. This is -- there
6 are two things driving this estuary plan, key issues
7 that are not going to be addressed as far as I can tell,
8 or not adequately, and that is the separation of
9 Decision 1610 and the low-flow issue. Just putting it
10 in a cumulative impact section is just a way of getting
11 around, not doing it at all, really. I've never seen an
12 adequate cumulative impact section in an EIR, ever.

13 CHAIRMAN KELLEY: Brenda, I need you to wrap up
14 there; okay?

15 MS. ADELMAN: Okay. I just want to say the
16 other critical reason for needing this estuary project
17 is so they won't flood properties in the lower river,
18 and there was no study, there was just some data from
19 the planning department showing, you know, the different
20 properties that might flood. But there was no real
21 analysis of those properties.

22 And as far as I can tell, there's one property
23 in Jenner that is subject to flood regularly at seven
24 feet, and that is the visitor's center. Most of those
25 others could probably go up to nine or ten feet, at

1 least. So the whole analysis of what floods when and at
2 what levels and what the impacts to upstream would be if
3 you had the estuary plan at a higher flood level, all
4 these things I pointed out. I wrote 25 pages to the
5 state with 32 attachments on this issue. I added
6 another ten pages, plus a bunch of documents. Some of
7 you have seen it.

8 There's no way I can begin to address all the
9 problems I've noted with this whole situation. And at
10 the very least, these comments need to be addressed and
11 responded to. And so far I haven't heard an adequate
12 response.

13 And one last thing, when are we going to see
14 all the data? I'm glad it's going to come out soon, but
15 the USGS data we keep hearing, well, now it's two months
16 away, now it's four months away. It keeps getting put
17 off. All of the data they collected for this year, I
18 think now they are saying maybe next June.

19 Thank you very much.

20 CHAIRMAN KELLEY: Thank you.

21 I don't see anyone else coming forward.

22 Oh, come on.

23 MS. DeIONNO: Barbara DeIonno from Forestville.

24 I've been going over the Biological Opinion
25 quite a bit, because it's been really upsetting to

1 contemplate this change in the river flow. We have
2 tried this, had opportunity to try this flow in 2004,
3 2007, 2009, and I'm getting to know river flow like I
4 get to know my stove at home. I go in the river and I
5 go home look at the Internet, what was the flow today?

6 I can tell you 235 cubic feet per second at
7 Hacienda Bridge is a lot of fun. One-twenty-five cubic
8 feet per second, as the law prescribes, seems about
9 right for a minimum flow in the lower Russian. I swim
10 between Steelhead and Sunset Beach under the Hacienda
11 Bridge. I either go up and come back down or go down
12 and come back up. And I feel like it really ruins
13 swimming to have 70 cubic feet per second or 85 or 90.
14 It's just too low.

15 I feel like the people who came up with
16 Decision 1610 must have studied the situation and they
17 made a pretty good determination. Because it's pretty
18 low, it's pretty slow at that level. We've had it a lot
19 higher this summer. But it's adequate. The 70 cubic
20 feet per second, not adequate. It makes it so you can't
21 swim in a lot of places.

22 On the beach that I usually go to, where I
23 usually was able to swim in 2009, there was a circle of
24 people having a beer in the middle of the river. The
25 river is only about ten inches deep.

1 So all this great stuff for the fish sounds
2 really good, and I'd like to see the perched lagoon, and
3 I'd like to see the water flow slowed down in the upper
4 Russian because that would be better habitat, but it
5 doesn't work to slow down the whole river and take away
6 our swimming and family recreation. It's too important;
7 it's too precious; it can't be replaced.

8 How would you replace Russian River swimming?
9 What would you replace it with? How many pools or parks
10 would it take? How much money would it take? And I
11 think if you think about it in that way you can see that
12 we actually have the cheapest, easiest way to have
13 recreation and swimming for 1,000s of people.

14 And it's also an economic engine. It's tied in
15 with the wine industry. If people come visit to go wine
16 tasting they can take the kids to the river. It's too
17 valuable for our county, for our whole region, to just
18 write-off and say, Okay, but fish need less water. They
19 don't need less water in the lower Russian, they need
20 less water in Dry Creek, apparently.

21 But I don't know why the only option is slowing
22 down the whole river. Because it seems like the
23 pipeline may be --

24 CHAIRMAN KELLEY: Barbara, I need you to wrap
25 up.

1 MS. DeIONNO: Okay. If you -- if the problem
2 is that you are having to blast juvenile salmonids with
3 too much water in the upper so we still have enough
4 water in the lower, then maybe the water users need a
5 pipeline to help that water instead of using the Russian
6 River as an irrigation conveyance so much.

7 Thank you.

8 CHAIRMAN KELLEY: Thank you.

9 All right. I don't think I have seen any
10 others that wanted to come forward, and I appreciate
11 those that did come forward to speak, and appreciate the
12 information.

13 I would just remind not only the committee, but
14 also the members of the public, that this is the Public
15 Policy Facilitating Committee that is just taking a
16 review and update of the implementation of the
17 Biological Opinion. It does call for many of the
18 activities that were described in this long session.
19 All of those activities do have a particular process, of
20 which there are environmental documentation, as well as
21 not only comments but response to comments of that
22 documentation. And much of that, many of the questions
23 that were raised not only need to, need to be focused in
24 that area.

25 I would like to just move to our last item of

1 our agenda, which is the 2011 PPFC composition and
2 chairperson.

3 First I have a note from my staff here
4 reminding the agencies on my left and my right to make
5 sure that you appoint or designate some representative
6 for the PPFC for 2011. And I hope that will happen, as
7 I mentioned before. There's not much to this more than
8 it's our hope that we meet at least annually so that a
9 report much like what you heard today on the progress of
10 the implementation components of the Biological Opinion
11 occur.

12 The second item is the nomination of a
13 chairperson, and I am going to take a little bit of
14 chair's prerogative and suggest that the committee have
15 Supervisor Carrillo be the chair for next year's PPFC
16 meeting, and just look for any other comments or
17 thoughts on it.

18 MR. HOWARD: I would like to second your
19 motion.

20 CHAIRMAN KELLEY: All right. Anybody have any
21 opposition to that?

22 Here and done, you are stuck. You are looking
23 at a veteran supervisor that railroaded one into
24 becoming one this year.

25 MR. HOWARD: Good job.

1 CHAIRMAN KELLEY: Let me make one quick
2 comment. I heard that -- we had a very, very good
3 presentation. I know it probably at times for some may
4 have gotten overly technical or maybe at times didn't
5 cover all the information that you may have wanted, and
6 that's why I'm trying to be clear that this is a
7 reporting forum and that many of the activities are
8 going to be having their own distinct processes.

9 And I appreciated Eric's little challenge on
10 the name of the facilities, but I can't resist this
11 moment of slight digression. Congressman Don Clausen
12 served in Congress from 1963 to 1982. One of the
13 longest serving congressional members for the North
14 Coast. And he was very committed to many significant
15 projects on the North Coast, some of them you drive on,
16 some of them you see signs related to.

17 And I actually think it's quite appropriate to
18 have the name of the hatchery named the Don Clausen Fish
19 Hatchery. One of his big commitments was not only
20 recreation but also fisheries. And in the authorization
21 of the construction of the Warm Springs Dam and what
22 creates Lake Sonoma, there's a significant recreation
23 component in there that was a commitment of his, as well
24 as a hatchery that I think, as you see now and further
25 into the 21st Century, is going to be significant

1 benefit to fisheries on the North Coast. And I just
2 couldn't resist, since his name came up, to at least
3 take a little history.

4 Plus one other brief thing. He's still alive,
5 number one. Number two, he's been my constituent for 16
6 years.

7 All right. Any other comments by PFFC members
8 before we adjourn?

9 Supervisor Carrillo, you are diving for the
10 mike.

11 MR. CARRILLO: Thank you.

12 CHAIRMAN KELLEY: Are you trying to get out of
13 being chair?

14 MR. CARRILLO: I am not. I will hopefully take
15 it on moving forward in 2011.

16 But I wanted to take the opportunity to thank
17 our resource agencies that we've partnered with here at
18 the state and the national level, with both Mendocino
19 County and Sonoma County, and acknowledging the benefit
20 that the PFFC I think provides, not just in the
21 communication among ourselves and through coordination,
22 but also allowing the public to participate in this
23 process.

24 And I can't resist but to mention that this
25 will be Supervisor Kelley's last meeting as part of

1 this, and tomorrow will be his last meeting on the Board
2 of the Supervisors.

3 And I think the value and benefit that you have
4 provided this community, this county, this region and
5 this area should not go unnoticed. In your last 13
6 years since its inception, I know that you, former
7 Supervisors Tim Smith and Mike Reilly, were instrumental
8 in creating this committee, and I believe you are the
9 only still-serving member from the original cadre of
10 characters from its inception.

11 And I know over the last couple of years I've
12 participated with you and some other members of the
13 Water Agency, as well as our contractors to the Water
14 Agency in the implementation of the Biological Opinion,
15 and you have spent 100s of hours in meetings both with
16 NMFS, Fish and Game, the Corps of Engineers, up the Dry
17 Creek area with landowners and different constituents,
18 and 100s of hours as well in Washington DC advocating
19 for the implementation of the Biological Opinion, and I
20 think it does not go unnoticed among your colleagues and
21 I believe among the resource agencies that are our
22 partners.

23 And I want to take this opportunity to
24 congratulate you and thank you for your vision and
25 leadership, not just on countywide issues but fishery

1 issues and fishery profession. I did want to take that
2 opportunity, and as the incoming chair, I've big shoes
3 to fill, lot of history to learn, but I'm looking
4 forward to it.

5 CHAIRMAN KELLEY: Thank you, Supervisor.
6 That's very, very kind of you. Very humbling comments.

7 Mr. Butler.

8 MR. BUTLER: Well, that was well said. And I
9 agree. I wanted to express on behalf of my agency,
10 thank you for your leadership over this past period, and
11 your support in addressing all the Endangered Species
12 Act issues. Very important issues. And best wishes to
13 you in your future endeavors.

14 CHAIRMAN KELLEY: Thank you very much, Dick.
15 Very nice of you to say, and that's very kind of all the
16 agencies.

17 It is a unique situation to have been here from
18 the inception of this particular body, and I'm very
19 proud of the activities of not only the agency but
20 really the cooperation and collaboration that we have
21 forged, and of the Biological Opinion.

22 And as an outdoorsman, as a fisherman, and as a
23 resident of the Russian River watershed, I expect
24 success. But I also am very proud of my very small
25 piece of it.

1 I would only correct one thing, Supervisor. I
2 wish it was only 100s of hours.

3 MR. CARRILLO: Thousands.

4 CHAIRMAN KELLEY: I think my family would
5 dispute your 100s.

6 Great. Well, that's very sweet of you. Thank
7 you very much.

8 With that, I'm going to adjourn.

9 (The proceeding concluded at
10 the hour of 11:41 a.m.)

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REPORTER'S CERTIFICATE

I, Sharlene S. Nordstrom, a Certified Shorthand Reporter, do hereby certify that the foregoing transcript, pages numbered 1 through 110, inclusive, was reported by me, and transcribed by computer under my direction and control, and constitutes a true and complete transcript of said proceedings.

I hereby affix my signature this 17th day of December, 2010.

SHARLENE S. NORDSTROM
CSR #2861, CCRR #081