

RUSSIAN RIVER INSTREAM FLOW AND RESTORATION

PUBLIC POLICY FACILITATING COMMITTEE

REPORTER'S TRANSCRIPT OF PROCEEDINGS

DATE: October 29, 2009

TIME: 1:06 P.M.

LOCATION: SONOMA COUNTY BOARD OF SUPERVISORS
CHAMBERS
575 Administration Drive
Santa Rosa, California

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SHIRLEE ZANE, Sonoma County Board of Supervisors

RICHARD BUTLER, National Marine Fisheries Service

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CHUCK ARMOR, Bay Delta Region, California Department of Fish & Game

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LEE HOWARD, Mendocino County Russian River Flood Control & Water Conservation Improvement District

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1 OCTOBER 29, 2009 - THURSDAY 1:06 P.M.

2 P R O C E E D I N G S

3 --o0o--

4 CHAIRMAN KELLEY: May I have your attention,
5 please.

6 You very much and welcome to the public policy
7 facilitating committee, Thursday, October 29th, 2009.
8 Appreciate all of you coming and those that are up here
9 at the dais as well.

10 As some may recall, the last public policy
11 facilitating committee meeting was October 1st, 2008,
12 that was a week after the biological opinion was issued.
13 There are several new members of the PFFC up here.

14 So, actually, in case you don't know, my name
15 is Paul Kelley. I'm a county supervisor. I represent
16 northern Sonoma County from the 4th supervisorial
17 district, also currently the chairman of the board of
18 supervisors.

19 And I'll just ask Supervisor Carrillo to start
20 with the self-instructions down at that end, and for
21 those that may not be familiar, these microphones have a
22 little button underneath them here, and if the red light
23 is on, your microphone is on.

24 Supervisor?

25 EFREN CARRILLO: Thank you, Mr. Chairman.

1 Efren Carrillo, representing the 5th district,
2 Sonoma County Board of Supervisors, also director of
3 Sonoma County Water Agency.

4 CHUCK ARMOR: I'm Chuck Armor. I'm the
5 regional manager for Department of Fish & Game, Bay
6 Delta Region.

7 CARRE BROWN: Carre Brown, 1st district
8 supervisor, County of Mendocino, and also a director on
9 Mendocino County Water Agency.

10 MIKE DILLABOUGH: Michael Dillabough, Chief of
11 Operations and Readiness, San Francisco District Command
12 Station, U.S. Army Corps of Engineering.

13 LEE HOWARD: Lee Howard --

14 CHAIRMAN KELLEY: Oops.

15 LEE HOWARD: I'm sorry.

16 LT. COL. LAURENCE FARRELL: Lt. Col. Farrell,
17 district commander engineer, San Francisco district,
18 U.S. Army Corps of Engineers.

19 CHAIRMAN KELLEY: Now you get two
20 introductions.

21 LEE HOWARD: Lee Howard, representing the
22 Russian River Flood Control, Mendocino County.

23 SEAN WHITE: Sean White, general manager,
24 Russian River Flood Control.

25 SHIRLEE ZANE: Shirlee Zane, county

1 supervisor, Sonoma, 3rd district.

2 CATHERINE KUHLMAN: Catherine Kuhlman,
3 executive officer, North Coast Water Board.

4 DICK BUTLER: I'm Dick Butler, area
5 supervisor, National Marine Fisheries Service.

6 CHAIRMAN KELLEY: Thank you and welcome. I
7 appreciate all of you being here. For those that may
8 not be aware of this particular body, this body was
9 created as part of the MOU between NMFS, the U.S. Army
10 Corps of Engineers and Sonoma County Water Agency,
11 Mendocino County Russian River Flood Control and Water
12 Conservation Improvement District.

13 It is a unique thing to actually have a public
14 body, like this, called the Public Policy Facilitating
15 Committee, as part of section 7 consultation process in
16 which during the last number of years, that the --
17 initially, the biological assessment, was going through
18 its processing.

19 We had a number of meetings as the PPFC most
20 of the time receiving reports related to individual
21 components of the biological assessment, whether it was
22 opportunity for -- not only the different agencies
23 sitting up here to inquire about the biological
24 assessment, but also for the public to review it.

25 We also had those meetings up in Mendocino

1 County as well as here. We moved them back and forth
2 over the years, trying to recall the number of meetings.
3 I believe it was calculated last time. I couldn't find
4 my notes. But I think there was something like 20 some
5 odd meetings that this body has had, over the years,
6 developing the biological assessment that ultimately
7 gave us the biological opinion.

8 Today is -- well, at the meeting in October,
9 there was a discussion amongst the agencies as well as
10 the members of the PFFC, at the time, related to having
11 some form of regular meetings updating the public as
12 well as the different agencies on the progress of the
13 biological opinion especially as it related to --
14 through different milestones within the biological
15 opinion.

16 And so this, at the time, was determined that
17 we would have a one year check in which is where we are
18 today.

19 And we will most likely have one year check
20 ins, and if not more, over the period of time that the
21 bi-op is being implemented depending on the need for
22 those kinds of check ins. So we have an agenda, and
23 hopefully, you will have seen that there's an agenda
24 that is on that table right up here.

25 If you haven't gotten one of those, we're

1 going to go through the biological opinion milestones,
2 year 1 and 2, we'll have the Water Agency updates
3 related to decision 1610, Dry Creek fresh water river
4 estuary, public outreach, budget and advocacy, and we'll
5 also have a Corps update, public comment, and some sort
6 of discussion about when our next meeting is.

7 While the Department of Fish & Game isn't
8 necessarily on the agenda, we do have Erik Larson here,
9 and he will provide a brief update on the consistency
10 determination after Dr. Hearn makes his presentation on
11 the milestones.

12 So, unless there are any other comments from
13 the commission, we will -- seeing none, we will proceed
14 right on to Dr. Hearn's point in the agenda, which is
15 the biological opinion milestones, years 1 and 2,
16 Dr. Hearn.

17 --o0o--

18 PRESENTATION

19 --o0o--

20 DR. BILL HEARN: I'm here basically to provide
21 a brief summary of what's been going on for the past
22 year with regard to the implementation of the biological
23 opinion. And after my talk and Erik Larson's talk about
24 the consistency determination, we have a number of
25 people from the Water Agency that are going to talk

1 about the details. So I'm going to be brief, gloss over
2 some things, but I should give a bit of an overview of
3 the progress.

4 To begin with, for those of you, a few of you
5 who don't know what this is about, we did a biological
6 opinion that concerned the Water Agency and Corps' water
7 supply channel maintenance and flood control operations
8 on salmonid species that are listed on the Endangered
9 Species Act.

10 And there are three salmonids species. There
11 is the chinook salmon, which is listed as threatened;
12 the coho salmon, which is endangered; and the skillet
13 trout, which is threatened.

14 And, in the course of our work, we were asked
15 to also consider the impacts of the project on orca,
16 killer whales, because there actually are migratory --
17 there are migratory population of orca that are highly
18 dependent on chinook salmon, so we had to check that
19 species out as well.

20 This is a very important project, and
21 something that I think that needs to be said is that the
22 salmonid populations are in really bad shape.

23 And we issued this opinion, September 24th,
24 2008, and since that time, things had gotten even worse.
25 In April of '09, we received a report from our science

1 center, and it's an interesting history gram, it shows
2 the status of a coho up and down the coast, all the
3 watersheds along California.

4 And by and large, in general, most of the
5 populations are down 90 percent just since '05/'06.
6 Really dramatic decline, indeed, the watersheds like
7 Lagunitas and others, you know, there are only like 50
8 coho coming back last year.

9 The chinook salmon had such a dreadful run
10 last year, that they ended up closing the entire
11 commercial fishery for chinook. But I want to throw out
12 a little measure of hope, it seems like things may be
13 doing a bit better for various reasons and I'm hopeful
14 that this year, at least the chinook may come back in
15 some reasonable numbers, I'm hoping, fingers crossed.

16 Next slide.

17 Biological opinion dealt with a whole lot of
18 things, and that included the flood control operations
19 at Warm Springs Dam and Coyote Valley Dam, and it dealt
20 with the water supply releases of Sonoma County Water
21 Agency for water supply for basically the Santa Rosa
22 urban areas and in towns.

23 And it dealt with the water level management
24 of the estuary at Jenner. Modifications of flows,
25 summer flows, in the mainstem Russian River, via changes

1 the D1610.

2 It deals with fish hatchery operations at Warm
3 Springs Dam and Coyote Valley Dam. It deals with the
4 water diversion operations by SCWA, in particular, the
5 large diversion operation they have over there at
6 Mirabel and Wohler. And it also deals with ongoing
7 channel maintenance by SCWA and Mendocino County.

8 Next slide.

9 The opinion has a number of milestones that
10 should be completed. It's a 15-year project and there
11 are many checkpoints along the way.

12 One of the important objectives that we're
13 pursuing is to mitigate the impacts of the water
14 releases out of Warm Springs Dam on fish in Dry Creek.
15 We've had some really reasonable progress, good progress
16 there. The opinion states that Sonoma County Water
17 Agency is to do habitat restoration projects in five
18 tributaries, and they have three years to complete them.

19 And I'm happy to say that they have actually
20 made really good progress and put in a lot of
21 restoration project work in Grape Creek. I know that
22 there was a photo in the Press Democrat that had a
23 picture of one of the things they were doing there.

24 So we have -- we have good progress on one of
25 the five, and we have a couple of years to go.

1 The major component of the opinion concerns
2 the mitigating impacts of flow releases, summer and
3 winter flow releases, on the mainstem Dry Creek. And it
4 indicates that there will be construction and changes in
5 year 5. And we have just completed year 1, and here is
6 what we've accomplished.

7 To start with, I know the landowners along Dry
8 Creek, were going like, what, what are you going to do?
9 And there was some -- some concern expressed.

10 And so there was a technical advisory
11 committee that was formed that included a lot of the
12 major landowners on Dry Creek, and it was open to
13 basically all of the landowners on Dry Creek.

14 We've had some really good dialogue, and we
15 had a number of meetings, and in the end, we've got a
16 group of landowners, prominent landowners, and they're
17 saying what do we have to wait five years, this is good,
18 let's go forward, and so that was a breakthrough.

19 Sonoma County Water Agency has also been
20 working with a group called Inter-Fluve, a habitat
21 restoration firm. And it's a big undertaking, and these
22 guys are working on the design of those activities that
23 would be happening in -- beginning year 5.

24 So all in all, things are going rather well, I
25 think, with regard to that improvement of the Dry Creek

1 habitat.

2 Next slide.

3 With regard to the estuary down at Jenner, the
4 objective there is to create fresh water habitat to
5 manage the estuary as a closed lagoon and try to create
6 deeper fresh water habitat for rearing steelhead.

7 And over the past years, Sonoma County Water
8 Agency has worked diligently with the Department of Fish
9 & Game and National Marine Fisheries Service and other
10 creek consultants and whatnot and we've worked out a --
11 what I think is a pretty good plan, a good plan, for
12 moving forward with that estuary management.

13 Along the way, we ended up getting some
14 concern from people that thought or believed that we
15 have not provided sufficient attention to the effects of
16 closing the estuary on seals, harbor seals and sea
17 lions. That's been an interesting controversy. And so
18 we, you know, got into that, and in order to do that,
19 you should go through proper permitting through the
20 Marine Mammal Protection Act. And that is a permit
21 that's issued by the National Marine Fisheries Service,
22 that it requires NEPA analysis of the effects of the
23 project on the seals and we are moving forward with that
24 permitting process.

25 And, in fact, I understand, fingers crossed,

1 that there is a permit -- the Federal Register
2 announcement that there is an application for this
3 permit that's going to be published in the Federal
4 Register very shortly. My impression is in the next two
5 weeks, and I'm confident that, in fact, it will be in
6 the next two weeks, but I guess we'll see, and that will
7 allow comment from the public regarding that, that
8 application by Sonoma County Water Agency.

9 Another thing that came out of that discussion
10 regarding the seal issues is that Sonoma County Water
11 Agency is now working on a monitoring program for seal
12 usage of the estuary, and looking and being able to
13 monitor, but what happens when the estuary is managed in
14 such and such a way what happens to the seals, and so
15 they are actually actively monitoring the seals.

16 Next slide.

17 A major important element of the biological
18 opinion calls for changing flow in the Russian River --
19 in the Russian River mainstem.

20 And in order to do that, you need to go
21 through a hearing process with the State Water Resources
22 Control Board, and that's not easily done. Changing
23 D1610, we anticipated would take about a six- to
24 eight-year period, and the Sonoma County Water Agency,
25 consistent with biological opinion within that first

1 year, did in fact petition the board to modify D1610,
2 and so they are on track with that.

3 Something else that is needed over the course
4 of this winter, actually, is that Sonoma County Water
5 Agency will need to petition the board for a temporary
6 urgency change in order to manage flows to create lower
7 flows in the Russian River than are normally dictated by
8 D1610. That that temporary change and producing flows
9 that would basically be about -- about 85CFS at Hacienda
10 Bridge will promote opportunity for studies of
11 recreational impacts, water quality studies, and also
12 opportunities for adaptively managing the estuary.

13 Next slide.

14 I'd like to point it out that, you know,
15 everybody here, most of the people here probably are
16 aware that they ended up reducing the flow in the
17 mainstem Russian River this past year.

18 But that had nothing to do with the biological
19 opinion. Quite simply, there was very little rainfall
20 last winter, and there was very low storage in Lake
21 Mendocino, and so there really was a critical situation
22 there. I think it's important for the public to realize
23 that what happened last year is not a BO thing. In
24 fact, I would say that the minimum flow that came out of
25 that process last year was considerably lower than the

1 flow levels that we talk about in the biological
2 opinion.

3 Next slide.

4 Another aspect that BO included was improved
5 hatchery management, the hatchery up at Warm Springs
6 Dam. And in particular, there's a real interest in
7 trying to improve the genetics management of the
8 hatchery to avoid inbreeding. And also a need -- a need
9 for real funding of a field monitoring program. For
10 years the field monitoring program has been -- you know,
11 where are we going to get the money for that, and so the
12 Army Corps is going to be funding that field monitoring.

13 This past year, with the stimulus bill, that
14 one year stimulus bill that we had, it ended up funding
15 four years of backlogged genetic studies there.
16 Department of Fish & Game had been archiving all kinds
17 of fish tissues, clipped fins, for years.

18 And we now have the money to do the genetics
19 work for that, and as well as to conduct some field
20 monitoring. They ended up getting 700,000 for that. I
21 thought that was pretty impressive. It was a long time
22 coming but it happened.

23 Also, there is improved funding for rearing
24 facilities at Warm Springs Dam and field monitoring of
25 the coho root stock program and future coho genetics

1 management. That's in the bag. That's a good thing.

2 Next slide.

3 There is fisheries monitoring required under
4 the biological opinion, and Sonoma County Water Agency
5 has been stepping up to the plate and doing that. There
6 has been ongoing fisheries monitoring at Mirabel and
7 Wohler. They've been doing that for several years and
8 they are continuing to do that.

9 They're also monitoring the fisheries, water
10 quality, macroinvertebrates and pinniped, seal,
11 monitoring in the estuary that is ongoing, and they have
12 also been rather proactive in dealing with monitoring
13 requirements for Dry Creek.

14 Last year and this year, I would say that
15 there wasn't any mandate for monitoring of the Dry
16 Creek, but it's a difficult thing to try to monitor fish
17 in a really high flow environment like that. So they
18 have been working to resolve some of the sampling
19 methodology issues for that and I have to give them
20 credit.

21 Next slide.

22 There's a few other issues that the BO was --
23 is dealing with. One is turbidity monitoring, the study
24 of turbidity issue at Coyote Valley Dam. And National
25 Marine Fisheries Service and Department of Fish & Game

1 and the Corps are working out study plans to do that, so
2 we are making progress there. There is a flow ramping
3 study at Coyote Valley Dam that is required in there,
4 and as of yet, that has not made progress.

5 There's also the upgrade of the water
6 diversion screen at Mirabel. And Sonoma County Water
7 Agency is implementing that with good progress. They've
8 got to come up with a design, I believe, it's for three
9 years. They have to have that designed and they're
10 moving, you know, really well with that.

11 And the next slide, which is my last slide,
12 I -- I'd like to point out that the Russian River
13 biological opinion is not a recovery plan for endangered
14 or threatened species.

15 The Endangered Species Act recovery plans
16 addresses a whole lot more than what was, you know,
17 considered in the biological opinion.

18 Our agency is working on a recovery plan for
19 coho salmon for this area, and that is due out for a
20 public draft the first week of December. There also is
21 a state coho recovery plan that was generated by
22 Department of Fish & Game sometime ago, five years ago
23 or something.

24 Recovery plans address everything. Along the
25 line, people will say, what about the biological

1 opinion, it didn't deal with gravel mining, it didn't
2 deal with roads or whatever, and that's not what a BO is
3 about. This is -- we're dealing with a particular
4 project which is the Corps and SCWAs, but the recovery
5 plan would deal with a lot of things. It also deals
6 with salmonid populations and watersheds other than the
7 Russian River.

8 So that is all I have for you. Now, you get
9 to hear a lot of details from the others.

10 CHAIRMAN KELLEY: All right. Thank you,
11 Dr. Hearn.

12 And, Erik, do you want to just give your
13 verbal presentation and we'll see if there's any
14 questions?

15 --o0o--

16 PRESENTATION

17 --o0o--

18 ERIK LARSON: Thank you, Supervisor Kelley.

19 Erik Larson, California Department of Fish &
20 Game. Bill sort of introduced what the biological
21 opinion is, and I just want to just give a brief
22 background on why the state's involved in the biological
23 opinion.

24 The state does not regulate the federal
25 government, so our nexus to this process is through the

1 Sonoma County Water Agency, and then, as well as working
2 in partnership with NOAA Fisheries through this process.

3 We were involved in the crafting of the
4 biological opinion it came out of NOAA Fisheries, but it
5 was worked on and collaboratively prepared with Fish &
6 Game's involvement. So it included issues within the
7 biological opinion that we're concerned about.

8 Our nexus to the overall process is through
9 coho salmon. Although chinook, coho and steelhead are
10 listed by the federal government under the Endangered
11 Species Act, only the coho salmon is listed on the
12 California Endangered Species Act. So that was our
13 nexus to this document itself.

14 And that is what the consistency determination
15 process involved is, us signing off on that document to
16 state that the state is on board with the coho issues
17 addressed by that document itself.

18 Although we were involved with chinook and
19 steelhead issues in the document, obviously, we ran the
20 hatchery up there. We're engaged with what's happening
21 on the river and what -- closely, with the Sonoma County
22 Water Agency on all the issues, the regulatory arm is
23 specific to coho.

24 Issues that were of concern to the state that
25 did not occur within the biological opinion initially

1 were such issues as financial assurance that the
2 projects would -- what the state would call mitigation,
3 the biological opinion refers to is the preferred
4 alternatives is that -- the RFPs within the biological
5 opinion. Those are crafting the way that also meets the
6 state's needs with regards to coho.

7 Financial assurance was something that the
8 state needed. That took a little time to get together,
9 there was some crafting of language through the Sonoma
10 County Water Agency that was ultimately went back and
11 forth between the lawyers until it was signed.

12 Once that was prepared and put in place, which
13 was about the 12th of October, it came to Fish & Game.
14 There's a formal process. It goes directly up to the
15 director's office, but not to the region. It's reviewed
16 up there, say, yes, we got that.

17 It gets sent back down to the region where it
18 is now, in Yountville being reviewed by our staff.
19 Since we were involved in the process of preparing it,
20 we don't see any real issues with it. It should get out
21 of our office this week, back up and be signed up in
22 Sacramento, and the process will then be completed.

23 That's where we're at right ow.

24 CHAIRMAN KELLEY: All right. Great. Thank
25 you very much. Yes, sir.

1 CHUCK ARMOR: I would just like to add just a
2 little bit right in the end what Erik said. I signed
3 the CD and it is on its way to Sacramento.

4 So hopefully, by the --

5 CHAIRMAN KELLEY: It's hot off the press right
6 there, I think.

7 CHUCK ARMOR: So hopefully within two weeks,
8 we'll have it signed by -- signed and back.

9 CHAIRMAN KELLEY: Great. Thank you, Chuck.

10 All right. Any questions of the PPFC related
11 to Dr. Hearn's presentation? And my suggestion is, if
12 you have some questions that come up about it as the
13 Water Agency is going through all of their presentation,
14 we -- I'm sure Dr. Hearn will hang around and answer
15 those questions too, if they come up through that.

16 All right. With that, we'll jump right on to
17 item 3 on our agenda, which is Sonoma County Water
18 Agency updates. First item would be the decision 1610
19 changes.

20 --o0o--

21 PRESENTATION

22 --o0o--

23 PAM JEANE: Last year --

24 CHAIRMAN KELLEY: Introduce yourself.

25 PAM JEANE: Sorry. I'm Pam Jeane, deputy

1 chief engineer of operations of Sonoma County Water
2 Agency.

3 CHAIRMAN KELLEY: Thank you.

4 PAM JEANE: Last year, the PPFC meeting, we
5 went over in detail the changes to decision 1610, what
6 we mean by changes to the decision 1610 is changes in
7 industry and flow requirements.

8 Those industry and flow requirements are
9 required by our water rights permits, which are issued
10 by the State of California, and decision 1610 is a state
11 decision that that board adopted that set those flow
12 rates.

13 My presentation today is gonna be super brief
14 because all the detail was given to you last year, so
15 I'm just going to give you an update on our progress to
16 date.

17 As Bill spoke to a few minutes ago, the
18 biological opinion does require the Sonoma County Water
19 Agency to file a petition with the State Water Resources
20 Control Board one year after -- within one year of the
21 biological opinion being issued.

22 And that -- that petition asked for changes in
23 minimum stream flow requirements on a permanent basis.

24 I'm not going to go through what those changes
25 are but the -- I'm just going to tell you that we did

1 file that petition with the State Water Resources
2 Control Board, it was filed on the 23rd of September.

3 And there is a poster at the front of the
4 room, so that if anybody has any questions about what
5 those new requirements we petitioned for are, I'd be
6 glad to go over that with them after the meeting.

7 Environmental review process is also supposed
8 to be started within six months of the notice of the
9 petition being filed. The notice of the petition is
10 actually issued by the State Water Resources Control
11 Board. They have not issued that notice to the public
12 yet. But once that notice is issued to the public, we
13 have six months to start our environmental process,
14 which is issuing the notice of preparation under CEQA
15 and issuing the notice of intent under NEPA.

16 In terms of interim stream flow requirements,
17 Bill also spoke to these a few minutes ago. We are
18 required beginning in the summer of 2010 to ask the
19 state to reduce the minimum stream flow requirements in
20 the mainstem of the Russian River only, not in Dry Creek
21 and the mainstem, but the mainstem only.

22 And we will work on that, and get something
23 filed either early spring or late winter this year to
24 obtain permission for lower flow requirements. And with
25 that, that's about all I have.

1 CHAIRMAN KELLEY: All right. Great. Move to
2 the Dry Creek item. Mr. Manning?

3 --o0o--

4 PRESENTATION

5 --o0o--

6 DAVID MANNING: A little bit of musical
7 chairs. My name is David Manning, it flashed through
8 that -- that first line pretty quickly on the principal
9 environmental discussions with the Water Agency, and I'm
10 going to talk about some of our working Dry Creek as
11 well as some of the other projects we're engaged in on
12 the mainstem of the river in this first year of
13 communication.

14 So I'll cover today our habitat enhancement
15 feasibility study, and I thank Bill for giving us a nice
16 overview, so I may gloss over some of these slides
17 rather quickly.

18 A pipeline feasibility study that's also
19 required of the biological opinion, some of these
20 tributary enhancements that Bill mentioned and our
21 ongoing fisheries monitoring.

22 So I think a lot of you have probably seen
23 this image. There's a handout that has it. There's a
24 poster in front. We have a 12-year responsibility to
25 work on habitat enhancement projects in Dry Creek. It's

1 a multi-phase, multiple goal, effort.

2 I won't go through all the details, but there
3 are five tributary projects. We have to conduct a total
4 of 6 miles of habitat enhancement out of the 14 miles of
5 Dry Creek in a variety of sites.

6 So covering the upper, middle and lower
7 portions of the stream, including both summer and winter
8 habitat, stabilize instream banks, and very importantly,
9 preserving our ability to use Dry Creek to convey water
10 to the mainstem of the Russian River for water supply
11 purposes.

12 So the first step in this 12-year effort to
13 enhance 6 miles is the completion of a habitat
14 enhancement study. Inter-Fluve Incorporated from Oregon
15 is conducting that work for us. They got started in
16 August this year, and they're actually back this week to
17 do some more work.

18 In fact, they're in the audience. They're
19 doing habitat and channel geometry work to plan for the
20 eventual enhancement of the stream and a very important
21 functions -- they're also meeting with property owners
22 to discuss the opportunities available for restoration
23 in Dry Creek.

24 So when I say project opportunity, I really
25 mean a concert of things. The valley of the habitat,

1 once it's improved, its potential, the feasibility, the
2 engineering feasibility conducting those projects, and
3 also landowner cooperation.

4 These images that you see here on the screen
5 are just the first initial drafts from Inter-Fluve.
6 These hatched areas, I know it's difficult to see, are
7 areas that look enticing for the creation of coho
8 habitat, slow water areas to help deal with the high
9 velocity issues in Dry Creek.

10 They also identified the areas where bank
11 erosion is a significant concern. And Bill mentioned
12 that there are some landowners that are very intrigued
13 by some of these concepts and would like to help us beat
14 the time lines of biological opinion particularly in
15 this middle stretch of the Dry Creek.

16 We have some folks who are very interested in
17 helping us still with both their bank stability problems
18 as well as these fish habitat concerns that Nancy
19 highlighted for us, so we're very impressed by the
20 progress today.

21 Another component, should the habitat efforts
22 not be successful in 2018, we have to pursue the option
23 of bypassing flow around Dry Creek. One of the
24 biological opinion requirements is that the same time we
25 studied the potential to enhance this habitat, we also

1 engage in a feasibility study for this bypass pipeline.

2 HDR Engineering is working on the project for
3 us right now, and they have identified four potential
4 routes. Those routes are Canyon Road, Dry Creek Road,
5 West Dry Creek Road, and then two options in the stream
6 corridor itself.

7 There's been quite a bit of planning. There
8 was a meeting with some landowners in the valley to
9 discuss their thoughts about some of these potential
10 options.

11 Some of that planning has involved looking at
12 the inlet works, so how this water gets from the lake
13 into a potential pipeline, understanding how much flow
14 is required for hatchery, how much flow might be
15 required instream for fishery resources.

16 That has gone so far as to result in some
17 conception designs, for what is called the head backs
18 that could help control the flow into this bypass
19 pipeline.

20 Another critical concern beyond the route and
21 how the water gets into the pipe, how it gets out of the
22 pipe. So there have been a number of conceptual plans
23 brought to light that involve various ways of injecting
24 that water that might be in a pipeline back into the
25 stream that could overflow, through this channel be

1 aerated, diffused under the stream bed itself, there are
2 a variety of options. I'm just showing you a couple of
3 these as examples.

4 In the tributaries, the work that we've
5 started right away, involves the Sotoyome Resource
6 Conservation District in their excellent planning for
7 restoration projects in concert with Prunuske Chatham,
8 Incorporated, a local firm, and Dragon Fly stream
9 enhancement.

10 We're working at to reaches of Grape Creek to
11 enhance rearing habitat to provide structural complexity
12 for coho and steelhead in the way of logs, boulders,
13 planting riparian vegetation, and there's also a fish
14 passage component to many of these projects.

15 I'll show you a brief photo montage of some of
16 the work that's going on here in Grape Creek. The first
17 phase in doing any of these projects is first dewatering
18 the stream.

19 And the stream -- I'm happy to report -- does
20 indeed provide habitat for juvenile steelhead at the
21 moment. And there's a very careful process of placing
22 wood so that it mimics some of the natural function that
23 is lost from some of these streams.

24 And what you end up with are these really --
25 what look like fallen log structures. But they are very

1 carefully designed and engineered, so that they don't
2 impact the banks and they provide maximum fish habitat.

3 Another issue here with some of the tributary
4 enhancement projects is dealing with some of the
5 culverts that perform poorly for fish passage in the Dry
6 Creek watershed.

7 We're engaged in that effort with the Sonoma
8 County Department of Public Works, the Department of
9 Fish & Game, and, again, Prunuske Chatham, Incorporated.

10 Some of those streams, right now you're
11 looking at a picture of a culvert on Wallace Creek, a
12 tributary to Mill Creek, which is a very important
13 stream for coho and the Dry Creek watershed.

14 It's not hard to imagine that fish passage
15 really wasn't considered in that sort of hard and
16 bunkered looking culvert.

17 There's a lot of room for improvement in
18 getting fish access to spawning habitat throughout the
19 streams in Sonoma County.

20 CHAIRMAN KELLEY: Mr. Manning, if I could just
21 request that you slow down in your presentation? I'm
22 watching the court reporter's fingers --

23 DAVID MANNING: The scope of the biological
24 opinion is immense, and I was given quite a few projects
25 to go over, but I will gladly slow down.

1 CHAIRMAN KELLEY: All right.

2 DAVID MANNING: Fish trapping.

3 This is the -- couldn't really have been more
4 perfect subject to ask me to slow on. I will try to
5 keep that in mind.

6 We have a pretty substantial burden to monitor
7 Dry Creek as well as the mainstem of the river and the
8 estuary. I will not touch on some of the estuary
9 monitoring. My colleague, Jessica, will do that.

10 But just briefly, how we're trying to assess
11 trends in populations in Dry Creek and determine how
12 effective some of these projects might be -- include
13 trapping in the spring, tagging fish, I'll go into that
14 in a more detail in the spring time, as well as fish
15 population sampling, to correctly collecting fish, the
16 electrofishing and other techniques.

17 If you look sort of across a year's time, you
18 can see we cover many of the life phases. I won't do
19 any details here, but just the F, the P, the S, the Y,
20 that stand for various age classes of fish that we will
21 be collecting information about using a variety of
22 techniques.

23 You can see, we try to get this information
24 throughout the entire period that these fish spend
25 rearing in fresh water.

1 All right. To give you an example of what
2 we're facing in terms of the way of determining both
3 these population trends in pre and post monitoring, we
4 have to sort of consider habitat enhancement and
5 non-enhanced regions -- look at physical habitat, the
6 performance of the fish.

7 And a very attractive way of doing this is
8 with a device called passive integrated transponders,
9 that's that small rice size tag that's being inserted
10 internally into that juvenile salmonid.

11 They carry an identification code, and if we
12 tag a known number of individuals, and place them into
13 reaches that are bounded by antennas, and that's what
14 those rather innocuous looking structures that are
15 spanning the stream in the other photo are, those are
16 protection devices. The tag itself does not carry an
17 internal battery.

18 But it is interrogated by outside power
19 sources as fish pass through various reaches of the
20 stream. And we can determine how many fish survived,
21 how many fish may be moving between different reaches of
22 the stream, and learn something about how effective
23 these habitat improvement projects are.

24 Another technique that we have been evaluating
25 is the use of direct observations, snorkel surveys, and

1 if this works, I will show you a brief example of what
2 it is like to be snorkeling on Dry Creek.

3 We use a variety of divers, it is a
4 challenging place to do this work this footage was
5 collected by Dr. Greg Horton, a fisheries biologist with
6 us, who is very skilled in evaluating juvenile fish
7 populations.

8 So you can see underwater here, we'll see some
9 steelhead in just a second, but the visibility is really
10 not all that great.

11 Even though the water looks clear from the
12 surface, there is a lot of fine particulate organic
13 matter, and you'll also see that there's a dizzying
14 number of fish.

15 It is very difficult to try to count these
16 individuals and say something meaningful about the work
17 pre and post construction.

18 So we are using other techniques like tagging,
19 and looking at the habitat to help us make these
20 evaluations. We have hours of this video, I will stop
21 it mid way through. But it's the kind of thing that we
22 love to show.

23 CHAIRMAN KELLEY: That's video for those
24 bleary-eyed interns to monitor.

25 DAVID MANNING: So there is also an effort on

1 the mainstem of the river to do this monitoring work as
2 well using fish traps.

3 That's a picture of our inflatable dam, as
4 well as video, underwater video, which is an effort
5 we've been engaged in for quite some time. I think many
6 of you are familiar with -- with those data.

7 Here's an example of the strength that these
8 long term monitoring efforts -- we're really starting to
9 get a handle now on how variable the size of the adult
10 chinook salmon population is.

11 That is the most up-to-date count that we have
12 thus far here in 2009, slightly over a 1,000 fish, which
13 puts us on a pretty decent pace for this time of the
14 year. The numbers in green are, of course, the numbers
15 through the 23rd of October, so you can see sort of
16 where we are in relation to some other years.

17 The downstream minor trapping, is a picture of
18 the trap in Dry Creek very similar to the traps that we
19 operate also on the mainstem of the river.

20 And I'll just give you a brief flavor of the
21 information we collected this past year without diving
22 into too much detail.

23 Steelhead, we collect two H classes of
24 steelhead, parr and smolts. We caught far many more
25 parr than smolts in Dry Creek.

1 What you see here is the Dry Creek trap.
2 That's at Westside Road at Dry, and then our traps at,
3 Wohler and Mirabel, that's our water collection facility
4 at the inflatable dam, and also a trap we operated
5 downstream at the Duncans Mills.

6 Coho salmon, a rather dismal story in Dry
7 Creek, only ten fish. Three of those fish were wild.
8 The other seven fish were from the brood stock program.
9 The majority of the fish that we caught, captured in the
10 water near Mirabel were smolts from the coho salmon
11 captive brood stock program.

12 This is very important for the biological
13 opinion implementation. And we also caught some of
14 those fish downstream at Duncans Mills.

15 Chinook salmon are by far the most dependent
16 juvenile salmonids in the system, particularly in Dry
17 Creek. This is the first time we operated a trap in Dry
18 Creek. We knew that there was a substantial amount of
19 chinook salmon spawning, but we were very surprised at
20 the numbers of fish.

21 These numbers of fish are the total catches.
22 We applied a -- what's called a trap efficiency to these
23 numbers to expand their estimates. The trap does not
24 collect every fish that comes downstream.

25 If you expand that estimate for the trap at

1 Dry Creek, it equals right about 230,000 fish. That's a
2 substantial number of fish.

3 And if we look at the catches based on age and
4 date of steelhead at Dry Creek, we ran the trap all the
5 way through the end of August. You see that the
6 majority of the fish that we caught are young of year,
7 certainly less than two-year old fish that are
8 represented in red.

9 So we're really seeing -- the time we're
10 operating the trap, a lot of juvenile fish that would be
11 using the mainstem of Dry Creek for rearing habitat.

12 I'm going to switch gears here and talk a
13 little bit about project at our large diversion facility
14 at Mirabel. That's a picture of the inflatable dam site
15 when the dam is deflated.

16 One of the projects we were mandated to
17 conduct in the biological opinion is the modification of
18 fish screens at the site. These are rotary drum fish
19 screens that failed the National Marine Fisheries
20 Service criteria for -- for passing fish.

21 Glossies to the screen are simply too high --
22 especially that screen you see there in the foreground.
23 We have a technical advisory committee with NMFS and the
24 Department of Fish & Game. And we also have a
25 feasibility study that is near completion conducted by

1 Prunuske Chatham to help us envision how this site can
2 function better.

3 I'm gonna show you briefly an image that has
4 been the product of many meetings of how we can modify
5 this site to better pass fish.

6 You see the river flowing from the right to
7 the left in the image, that's the shadow of the dam.
8 The two areas highlighted in red, that oval, is the site
9 of those existing rotary trap fish screens. And the
10 other red rectangle is our existing fish way.

11 The new plan really calls for bringing incline
12 screens closer -- back into the bank, and having them
13 mesh with a new fish way.

14 This fish way is a vertical slot designed
15 deeper than the current fish ladder that's out there.
16 Almost 13 feet in depth, functions even when the dam is
17 down and carries a substantial amount of flow, 65 cubic
18 feet per second, which provides excellent bypass flow
19 control for us down below the facility.

20 And another feature that will really enhance
21 our monitoring and our interpretation of these fisheries
22 to the public is a viewing chamber that's sunk into the
23 ground, and has a full depth window, that we can use to
24 monitor the passage of fish.

25 Another project out there at our water

1 diversion facility just upstream of Wohler Bridge is the
2 decommissioning or the regrading of a couple of
3 infiltration ponds associated with the first two
4 collector wells constructed in the agency's water
5 system.

6 So the plan in those two ponds, are there
7 shaded in red, is to gently grade those ponds back to
8 the river. Previously, when the river overtopped in the
9 winter time, water went into the ponds and not exit,
10 really until we pumped them out in the spring time, and
11 that would entrain fish and trap them. So we will be
12 dealing with those structures. Okay.

13 What are some next steps for some of these
14 projects we're engaged in?

15 In terms of the habitat enhancement study on
16 Dry Creek, Inter-Fluve is going to produce a current
17 conditions report by March. We will enter phase two of
18 their work, which is producing actual conceptual designs
19 of these enhancement opportunities.

20 In terms of the Dry Creek pipeline, the
21 feasibility report, again, will be introduced in March.
22 And we will have an engineering report that has much
23 more detailed design by the end of next year -- at this
24 time next year.

25 In the tributary enhancement projects, we're

1 very close to completing the work on Grape Creek and
2 Sotoyome RCD has teed up a number of other projects for
3 us, as well as the Sonoma County Department of Public
4 Works, so that past projects in Grape Creek, in Crane
5 Creek, we hope to complete next year, the Wallace Creek
6 and Mill Creek projects will probably be completed in
7 2011.

8 And I think that's it. Jessica?

9 CHAIRMAN KELLEY: All right.

10 --o0o--

11 PRESENTATION

12 --o0o--

13 JESSICA MARTINI-LAMB: Hello, I'm Jessica
14 Martini-Lamb with Sonoma County Water Agency.

15 I'll give some updates on Russian River
16 estuary, and I'll start with our year 1 accomplishments.

17 We'll discuss bathymetric survey at lagoon
18 outlet channel adaptive management plan, the artificial
19 breaching activities we've conducted thus far this year,
20 and our monitoring efforts.

21 So the agency contracted with Environmental
22 Data Solutions to conduct this bathymetric survey of the
23 estuary. The survey -- a bathymetric survey is
24 basically a topographic map of the land form underneath
25 the water surface.

1 And in this case, they also had them include
2 up to 10 feet above mean high, high water. So above the
3 surface of the 10 feet above the mean high tide level
4 above the water surface in the estuary. And the survey
5 extends from the mouth of the estuary up past Austin
6 Creek.

7 So we were really excited to get this -- this
8 survey done. It's critical for us to have a good
9 understanding of what the habitat structure of the
10 estuary is like, and then we're going to use this
11 information in developing the circulation model of the
12 estuary, which I'll talk about a little bit later.

13 Probably, our largest accomplishment in year 1
14 was completing the lagoon outlet channel adopted
15 management plan that Bill referred to. We hired Phillip
16 Williams Associates, which is an engineering firm, who
17 has a lot of experience in dealing with coastal
18 processes, and actually was involved in the original
19 estuary management plan in the early '90s.

20 The intent of this lagoon outlet channel is to
21 allow the agency to maintain a closed lagoon from
22 May 15th to October 15th. And because -- you know, we
23 still have to deal with our normal close at D1610, what
24 we're looking at is what we're calling a perched lagoon.
25 Our target water surface elevation is if estuary or in

1 this lagoon is 7 feet, that will be measured at the
2 agency's gauge of the Jenner visitor center.

3 And we'll be creating a outlet channel in the
4 closed sandbar that will allow water spill over across
5 to sandbar while keeping the tidal exchange out of the
6 estuary.

7 We plan on doing this using natural processes,
8 so we're not going to be putting any kind of hardened
9 structure in the channel. It will simply be an
10 excavated channel out of the beach.

11 And we're pursuing incremental changes to our
12 existing practices. What that means is we've designed
13 this plan to work within our existing federal and state
14 permits, which was definitely a challenge.

15 But we're really happy with the way that this
16 plan has developed. And it was the results of quite a
17 few meetings with National Marine Fisheries Service and
18 Department of Fish & Game.

19 We did have some challenges, though, in trying
20 to implement this plan in year 1. As Bill mentioned, we
21 realized that we needed to have a Marine Mammal
22 Protection Act incidental harassment authorization for
23 any of the activities that result in us being on the
24 beach in the vicinity of the harbor seal haul out after
25 Jenner.

1 So we've completed that permit. It was
2 submitted to National Marine Fisheries Service in Silver
3 Springs, Maryland in July.

4 The latest update from them, as Bill said, is
5 they expect to be publishing the draft permit for
6 comment, public comment, sometime in mid December in the
7 Federal Register. It will be available for public
8 comment for 30 days.

9 In the meantime, we've been working on
10 modifying our existing federal and state permits to
11 allow us to implement the lagoon outlet channel under
12 our existing permits.

13 And all of the permits, except for Coastal
14 Commission and Department of Fish & Game have been
15 modified thus far and we're in process for the other
16 two.

17 Now, I'll talk a little bit about the
18 monitoring that we've done in year 1. Biological
19 opinion requires that agency to continue monitoring the
20 fisheries, but also to enhance our efforts to learn more
21 about the young of the year steelhead that utilized the
22 estuary. And this age class of fish has been very
23 difficult to sample in the estuary. So this year, we
24 tried a fyke fish trap in the upper estuary, and we've
25 had some successes with it. We also had some challenges

1 that we'll have to overcome in the next year.

2 A little about the fyke trap, it's basically
3 sort of a funnel. It has two rear funnels as you see
4 here that direct the fish into the trap. And then they
5 go through a sort of narrow corridor into the live well,
6 and where that wood box is live well that we go, we pull
7 the fish alive out of the box, process them, and
8 rerelease them into the estuary.

9 So this graphic shows in gray, the time line
10 for operation of the fyke this year, and the number of
11 chinook that we captured on each date it was in
12 operation. So chinook were the three of these species
13 that the greatest number of each fish that we captured
14 with chinook.

15 But as you can see, we didn't capture huge
16 numbers especially compared to the data you saw in
17 David's presentation. With the screw trap results --
18 they captured much more than we did with the fyke.

19 We didn't actually capture some cohos on it,
20 including some from the coho's brood stock program,
21 which was really actually very great information because
22 we were able to provide some -- some information on
23 growths of coho from the time that they were released in
24 Dry Creek and other tributaries and were recaptured in
25 the estuary.

1 Steelhead were the target species for us, and
2 we did capture small numbers of steelhead during
3 operation. But as you can see, we had some challenges
4 with effectively capturing these species and the like
5 this year.

6 So one -- there are several challenges. One
7 is, you could see here, one of our interns standing at
8 the box, this is when the estuary is open. The top of
9 the panel on the left hand side is about 10 feet high.

10 When the estuary closes, it goes underwater.
11 And that makes it really difficult for us to try to
12 capture any fish successfully out of the trap.

13 So one of the challenges this year is try to
14 find another location that we can effectively install
15 the rear panels and capture enough of the width of the
16 river to funnel the fish into the trap.

17 But stay within the estuary zone without
18 having significant inundation, and that's going to be a
19 difficult challenge to overcome.

20 Another challenge here is water temperatures.
21 In late May and June, we started seeing increasing water
22 temperatures. By the end, we're seeing water
23 temperatures in the area of about 20 to 22 degrees
24 centigrade, which is really too warm to be operating
25 this trap for juvenile fish.

1 So that will be another factor that we will be
2 considering when we look for alternative locations.
3 We've tried a number of different techniques to focus
4 our efforts on trying to capture young of the year
5 entering the estuary, and while this was -- was somewhat
6 unsuccessful this year, we'll look at modifying it in
7 the next year.

8 Another new study that we've embarked on this
9 year is the prey invertebrate study that Bill mentioned.
10 We've contracted with Sy Simenstad at the University of
11 Washington, and their wetlands ecosystem team. They're
12 experts at evaluating invertebrates for salmonid
13 resources throughout the West Coast.

14 And they're tasked with evaluating
15 invertebrate responses to changes in the estuary
16 condition. And by estuary condition, I mean, whether or
17 not the sandbar is closed. So their focus is going to
18 be looking at the distribution, composition and
19 abundance of salmonid prey in the estuary. And this
20 photo here shows some of the items that were pumped from
21 fish -- steelhead stomachs a number of years ago.

22 So they're using a variety of techniques, and
23 in year 1, they did a pilot study looking at different
24 techniques that might be effective in capturing
25 zooplankton, epibenthic invertebrates and benthic

1 invertebrates. This is the photo of an epibenthic sled
2 that was used this year.

3 And then we also used the gastro gavage in
4 concert with our seining efforts.

5 So we go out and seine every three weeks, and
6 I'll talk a little bit about that. But the steelhead
7 that are captured, their stomachs are pumped to obtain
8 their stomach contents, and that gives you an idea of
9 what they are eating.

10 What -- and then we compare that with the
11 invertebrates data that we gathered from the other
12 study.

13 As Bill mentioned, we've started our pinniped
14 monitoring as part of our permit under Marine Mammal
15 Protection Act. We had to prepare pinniped monitoring
16 plan.

17 And so we've been lucky enough to collaborate
18 with the stewards of Coast and Redwoods. They are
19 members that have been monitoring the general haul out
20 for years now on -- on doing our monitoring.

21 So we have sort of two levels. We're doing
22 baseline data collection. We go out twice a month. We
23 go for full day so we capture both low and high tides,
24 and we monitor count every half hour all the seals
25 present on the beach.

1 So we share that duty with the stewards. But
2 at the same time, the steward volunteers are monitoring
3 coastal -- alternative coastal haul outs to the north
4 and to the south, and also known river haul outs. And
5 the purpose of this is for us to get an idea of what
6 happens to the seals that are hauled out at the Jenner
7 haul out when the estuary is closed -- where do they
8 go -- or when they're hauled out when it's open, where
9 do they go when the sandbar closes?

10 Do they utilize the river haul outs, do they
11 move up and down the coast? And these are questions
12 that NMFS house had asked us to answer, but also that
13 the public had a lot of input on.

14 So we'll be continuing that effort for at
15 least the next year, but very likely beyond that.

16 And then we're also doing pinniped monitoring
17 at -- during our breaching activities. So the day
18 before, the day of, and the day after, we go out and we
19 count the number of seals, and then also record the
20 types of disturbances that they're responding to.

21 So, now, I'll talk a little about our seining
22 efforts. So we've been doing fishery seining in the
23 estuary since 2003, and the biological opinion requires
24 us to continue during our monitoring.

25 So the purpose of seining is to better

1 understand the distribution and abundance of steelhead
2 in the estuary. So we go out every three weeks at eight
3 sites, and pull a seine. We capture not only our target
4 species of steelhead, but many of the estuary and
5 brackish -- some marine fish species.

6 So it gives us a really a good understanding
7 of the distribution abundance of not only the steelhead
8 in the estuary, but the other fish species that can be
9 found in the estuary.

10 This is just some additional photos, and we've
11 continued to do our water quality monitoring. We're in
12 our sixth year of monitoring water quality estuary. We
13 have six sampling locations from the mouth all the way
14 up to Duncans Mill.

15 We -- we have what we call datasonde arrays at
16 each of these locations. So we can see from the
17 buckets, datasondes throughout the water column, so we
18 get a good vertical profile. And these sondes
19 continuously record data on an hourly basis. So we
20 capture temperature, dissolved oxygen, pH, salinity
21 conductant and depth.

22 So a little summary of what we've done so far
23 is for artificial breaching, we had four artificial
24 breaching events this year so far. Two of those
25 breachings occurred from May 15 to October 15th. Those

1 are the dates that -- that bounds the lagoon outlet
2 management time line. The biological opinion internal
3 take statement allows the agency to breach twice during
4 that time period. And we did have to go out and breach
5 the water surface elevation had exceeded 7 feet. And
6 after that point, once we get close to around 8 feet,
7 people are really getting concerned about their homes
8 being flooded in Jenner.

9 So although we weren't able to implement the
10 lagoon this year, we did have an extended closure which
11 was a really unique occurrence. On September 6, the
12 estuary closed. Previously, the longest closure we have
13 at the estuary was 14 days. We got just about 30 days
14 out of this closure.

15 The mean flow into the estuary during that
16 time was anywhere between 70 and 96 CFS, and this is
17 measured from the Hacienda gage.

18 So we're just starting to look at our
19 monitoring data now. But we were able to capture water
20 quality. We did invertebrates sampling as well as our
21 fisheries and pinniped study. And so this is going to
22 give us a really good insight on what we might expect
23 the response in both habitat and biological responses to
24 extended closures.

25 So year 2 tasks, we've got a number of things

1 coming up in year 2. We're going to continue the
2 monitoring that I have already discussed. The
3 biological opinion requires the agency to put in a time
4 lapse camera to capture beach conditions. So we've
5 already begun that process and we're hoping within the
6 next -- about six months, we'll have that camera
7 installed.

8 We have -- we're going to be contracting with
9 the data marine lab, and we already have a contract with
10 them for some water quality monitoring that they're
11 doing with us. And they're going to be helping develop
12 a circulation model of the estuary, and this will give
13 us a really good idea of how to predict responses,
14 changes in water quality when the lagoon forms each
15 summer.

16 We will be beginning a CEQA process in the
17 next couple of months. That CEQA document will allow us
18 to get new permits. Most of our permits expire at the
19 end of 2010, so we'll have to go through the CEQA
20 process in order to get our new state and federal
21 permits.

22 The biological opinion also requires that by
23 March of 2010, we submit a flood risk management
24 feasibility study. And this basically is identification
25 of parcels in the estuary that may flood during extended

1 closures, so those properties that may keep flooding
2 below, up to 9 feet in elevation with the water surface
3 elevation in the estuary at 9 feet.

4 And identifying some preliminary funding
5 opportunities for mitigating those flooding impacts.
6 And then we are looking forward to implementing our
7 first year of lagoon outlet channel adaptive management
8 plan next year.

9 --o0o--

10 PRESENTATION

11 --o0o--

12 ANN DUBAY: I'm Ann Dubay, and I'm the public
13 information officer with the Sonoma County Water Agency.
14 And I just wanted to give you a brief update on what
15 we've been doing in terms of public outreach.

16 The biological opinion only requires really
17 one area of public outreach, and that is within six of
18 issuance of the biological opinion. We had to choose an
19 outreach to folks in the Jenner area about concerns
20 regarding mechanical breaching of the estuary.

21 But as we've heard today, the biological
22 opinion is a large complicated plan, and we believe that
23 for public and stakeholders to really understand the
24 biological opinion, we needed to go beyond what was
25 called for in the biological opinion.

1 So far, we've had eight community meetings on
2 the biological opinion, including two in the Jenner
3 area. About 700 people attended those meetings.

4 We've also done a specific mailing to property
5 owners in Dry Creek in conjunction with Sotoyome
6 Resource Conservation District, and the Sonoma County
7 Wine Grape Commission to let people know what biological
8 opinion required in the Dry Creek area, and to invite
9 them to a couple of community meetings in that area.

10 And as a result of this work and a stakeholder
11 process that Anne Crealock will talk about, we did
12 receive more than 60 percent of the Dry Creek property
13 owners giving us access to their properties for the
14 studies that Dave Manning talked about.

15 And we created a e-mail list for folks in the
16 Jenner area, and we primarily are using that to provide
17 them information about the Marine Mammal Protection Act
18 incidental harassment authorization.

19 And we've also conducted several tours for
20 stakeholders and folks of the river system with the
21 special emphasis on the biological opinion so that when
22 people see what we're talking about, they have a much
23 better understanding of what's required and the
24 importance of the biological opinion not only to fish
25 but also to our water supply.

1 In year 2 of the biological opinion, we're
2 going to continue with the community meetings, but we'll
3 be focusing on the specific -- targeting specific areas
4 and issues, decision 1610, clearly, the Jenner estuary
5 adaptive management, and then the Dry Creek study
6 results.

7 We're also planning on stepping up the tours
8 schedule because we found that people seem to have a
9 much better understanding of the biological opinion once
10 they've seen the system in action.

11 And we will continue with our media outreach.
12 This year, there were several excellent stories and a
13 couple of op eds in local papers about the biological
14 opinion.

15 And we anticipate continuing to work with
16 local reporters, and also beefing up the Russian River
17 in stream flow and restoration page that is on the Water
18 Agency's web site.

19 ANNE CREALOCK: Good afternoon, I'm Anne
20 Crealock, I'm senior environmental specialist at the
21 Water Agency and I'm going to talk a little more about
22 some of our outreach efforts.

23 In 2008, we hired the center for collaborative
24 policy out of CSU Sacramento to conduct an issues
25 assessment related to the BO.

1 They spoke with 57 people, including
2 landowners, local businesses and representatives of
3 various organizations and agencies, about issues related
4 to the Russian River watershed and biological opinion.

5 Based on their findings, the center
6 recommended to follow two parallel outreach tracks as we
7 move forward with implementation of the BO. One is for
8 Dry Creek related issues, and another for issues related
9 to estuary and flow in the mainstem.

10 And Ann DuBay already spoke a little bit about
11 our efforts dealing with estuary management and mainstem
12 flow. And I can speak a little bit more about our work
13 in Dry Creek.

14 We formed the Dry Creek advisory group. And
15 this group currently includes about 17 individuals, a
16 lot of them are landowners from throughout the Dry Creek
17 Valley and several organizations and agencies that are
18 here today, and it meets, approximately, quarterly.

19 And so far, we've had four meetings with this
20 group starting in February, and we've also had a
21 workshop on the pipeline, specifically.

22 And, generally, at these meetings, we
23 discussed habitat enhancement, flow issues, the
24 pipeline, we talk about various questions and concerns
25 that the people have and we connect them with our

1 consultants, the HDR and Inter-Fluve.

2 We also seek their input, that's really a
3 important part of this process, seeking their input and
4 making this a much more collaborative process.

5 So we plan to continue pursuing these open
6 dialogues, and with interested stakeholders to ensure
7 that we have an open and inclusive process as we move
8 forward in the coming years implementing the biological
9 opinion.

10 --o0o--

11 PRESENTATION

12 --o0o--

13 GRANT DAVIS: Thank you, Anne. I'm Grant
14 Davis, assistant general manager of the Water Agency.
15 Good afternoon, members of the committee and members of
16 the public.

17 We obviously have made a concerted effort to
18 structure this process in such a way that makes sense
19 geographically along the river, and to be as active as
20 possible to do outreach to the community.

21 So it's very appropriate with both ends we're
22 able to describe the level of effort that we're putting
23 in. But, clearly, this is a complicated multi-year
24 effort.

25 As you can see, we are anticipating roughly

1 the equivalent of a 15-year \$150 million effort.

2 Very large, very complicated process, but
3 critically important to the health of the Russian River
4 watershed and to our corps function, which is providing
5 water, flood control and sanitation.

6 Just briefly to sum up, we're in a phase now
7 where it's absolutely critical that the partners that
8 are represented here both of the committee and in the
9 audience, step forward with us as we move into a next
10 phase of the biological opinion and implementation.

11 Year 1, I'm pleased to report that almost
12 every indicator we've met or exceeded what was planned.
13 We've learned a lot along the way, and this is a process
14 in which we've built in the ability to adapt and change
15 course or modify as new signs, and new information comes
16 in.

17 But, clearly, what I've done here on one
18 slide, and I'll be belief, is just to break down what
19 our current budget estimates are, and describe a little
20 bit of what the efforts would look like to ensure that
21 we have the proper alignment of the local funding source
22 that's going to be required to meet our obligations, and
23 the idea of leveraging that with any available state
24 funding, although that is gonna be increasingly
25 difficult, as we all know. And then the proper federal

1 partnership with the Army Corps of Engineers and NMFS.

2 So roughly speaking, if you break this down,
3 believe it or not, Decision 1610, at the State Water
4 Resources Control Board, that petition and the ultimate
5 environmental process over a period of time, until that
6 occurs, is roughly estimated about \$9 million or more.

7 That's because there's gonna be -- we're
8 anticipating extensive environmental process that will
9 be required and very active engagement. Just for your
10 own background, when the agency went before the board
11 and had decision 1610 issued, that was a 14-day period
12 process. And numerous interests testifying before the
13 state board.

14 And while I'm very pleased to see Cat Kuhlman
15 here, and our partners with the regional board, we know
16 that any time you go before the state board, there will
17 be major testimony that will be required regardless of
18 what the request is.

19 So changing flows in Dry Creek will, in
20 fact -- or the mainstem of the Russian River will be a
21 very lengthy process.

22 You heard quite a bit from Jessica and Bill
23 Hearn about the estuary water level management process.
24 We're making great progress there.

25 We've hired some of the best consultants in

1 the business, and the process to manage that and to
2 ensure that that process gives us the true adaptive
3 management component is estimated to come in at about
4 \$14 million over the course of the biological opinion.

5 I think it's also safe to say that that is in
6 fact the area that I have the least comfort of funding.
7 That effort is the one that will really require a joint
8 collective effort both with the water contractors, many
9 of them are here today, and members of the public, and,
10 hopefully, the folks, like stewards, that are working
11 with us to come up with a plan that will work.

12 The coho hatchery funding is another million
13 two, absolutely critical as you heard, in terms of being
14 able to deliver a source to ensure that all the habitat
15 restorations that we're doing actually has a stock of
16 fisheries that -- to supplement.

17 The large ticket item here is Dry Creek
18 habitat enhancement, estimated to be around 35 plus
19 million dollars, that's the 6-mile component.

20 Keep in mind, that it's very clear to us that
21 without private landowner involvement and participation,
22 active support, this is going to be a very difficult
23 task.

24 I think the progress we made, I want to
25 commend Supervisor Paul Kelley for his leadership in

1 particular representing that area, and helping the
2 landowners feel comfortable with working with the Corps
3 and the agency and our consultants in that process. Dry
4 Creek engineering projects, you've heard progress on
5 that that I would call our plan B.

6 Clearly, not every one believes that this
7 15-year effort is going to result in a restored and a
8 active ability for us to bring water down Dry Creek.

9 And so in the event that after we've done a
10 certain amount, mainly the first three years of habitat
11 restoration, if we determine that -- what our plans were
12 and our best efforts were to not result in the type of
13 habitat improvements that we're anticipating, then we
14 are able to re-evaluate and have the engineering studies
15 and proper alignments.

16 But, clearly, I will say that everyone in the
17 agency that's working on this, sees that is our plan B
18 in the -- our fall back, in case we're not successful
19 with the habitat improvements which we're hoping we will
20 be.

21 The other project that I am really pleased
22 about is regarding the Mirabel Wohler modifications.
23 You saw the preliminary designs produced by Prunuske
24 Chatham, and through our technical advisory committee
25 with Fish & Game and NMFS. I think we have a very

1 PRESENTATION

2 --o0o--

3 LT. COL. LAURENCE FARRELL: Thank you, sir.
4 With the lights on, no slides, I guess that's a good
5 thing.

6 First of all, to support the study, we have
7 a -- we have a plan -- we have issued a -- or plan to
8 issue contracts totaling \$7.7 million.

9 The contracts are more in support of the coho
10 water filtration systems, replacing the coho tanks, some
11 of the genetic monitoring, that's already been
12 mentioned, and actually back-up generators, if there's a
13 power loss to supply our own power.

14 The first contract was actually already issued
15 or let on 28 of May '09. Since that time, we've let a
16 total of five contracts. And we're going to let five
17 more, so a total of ten -- for a total of ten contracts
18 for just under \$8 million.

19 And we expect to have the last contract let 1
20 March of -- 1 March 2010. So our \$8 million upgrade of
21 the hatchery will be complete in approximately 120 days.
22 So that's a good story.

23 As far as the \$70 million potential Corps
24 project that Mr. Davis alluded to, we are doing a study
25 on that. It's called the 216 study, which is 95 percent

1 complete.

2 Though there are other aspects to that study,
3 that study focuses on that bypass tunnel that may or may
4 not have to be built depending on the mitigation effects
5 of other projects involved with the Russian River.

6 And, again, that is 95 percent complete, and
7 that focuses on the 14-mile pipeline that we would build
8 with Sonoma County Water Agency to handle flood
9 discharges and particularly flood discharges.

10 So, again, our contracts will be complete by 1
11 March 2010, and we're 95 percent complete with our flood
12 study and the bypass tunnel.

13 Mike, would you like to add something?

14 MIKE DILLABOUGH: Looks like that covered it.

15 CHAIRMAN KELLEY: Spoken like a good staff
16 guy.

17 All right. Obviously, we covered quite a bit.

18 So if there are any questions or comments of
19 the PPFC members at this point, just one maybe for
20 myself on the estuary process as it relates to the
21 mapping side of things.

22 And what's kind of the time line or the
23 analysis process once you kind of get that map and start
24 looking at the property components to it?

25 JESSICA MARTINI-LAMB: So the flood risk

1 feasibility study is due to NMFS in March of next year.

2 So we've already started and agreed -- well,
3 we just signed the agreement to begin that process, and
4 it will take us about six months to complete.

5 CHAIRMAN KELLEY: All right. Any other
6 questions or comments at this point?

7 CARRE BROWN: I'm wondering if we can have the
8 power points e-mailed to us.

9 CHAIRMAN KELLEY: I wrote myself a note on
10 that at the end as to mention that, but might as well do
11 it now. Ann DuBay, which is our public information
12 officer, who has helped put this together, if you could
13 just make those available.

14 As a matter of fact, I guess at some point, we
15 should probably have this on our web site and so the
16 public can go to the web site, the Water Agency web site
17 and be able to pull those down, and have some sort of
18 link on there.

19 CARRE BROWN: Thank you.

20 CHAIRMAN KELLEY: All right. Obviously,
21 there's been a lot of information here, and I know we
22 had some pink cards related to comments or I'm not sure
23 if we got any turned in, but is there anyone who would
24 like to comment today on what we've heard.

25 Obviously, a lot of the information is at the

1 table and we will make sure all of the presentations are
2 available not only to the members of the PFFC but also
3 to the public through the web site. I saw one hand
4 there. Yes.

5 If you could state your name and keep your
6 comments to about three minutes, please.

7 --o0o--

8 PUBLIC COMMENT

9 --o0o--

10 ANN MOREASE: Okay.

11 I have a handout. My name is Ann Morease, ad
12 hoc committee for clean water, I thought there were 10
13 of you, but I guess there's 11.

14 CHAIRMAN KELLEY: That's all right. If you
15 could just give them to --

16 ANN MOREASE: I'm surprised -- I was surprised
17 myself to find out that there's a dam at the mouth of
18 the Russian River that blocks off the estuary and the
19 extent of it and how huge of this.

20 Having lived here for 25 years, it was really
21 a shock to me because I've been involved in fisheries
22 issues for a really long time.

23 I attended one of the public outreach meetings
24 in Jenner, and a young lady got up and she started
25 talking about this jetty dam at the mouth of the Russian

1 River.

2 And I really didn't know what she's talking
3 about, but she made a lot of sense. So I decided to
4 talk to her after the meeting and say what exactly are
5 you talking about. What dam, a concrete structure huge
6 boulders, Goat Rock, being blown up to put this rail
7 lines and so forth.

8 When you stand on Highway 1 and look out at
9 the beach, you don't see it. So after the meeting, she
10 said, "Come on down to Highway 1 and take a look."

11 So I looked out with her and she said, "Don't
12 you see that massive structure?"

13 And I said, "No."

14 And said, "Well, what massive structure are
15 you talking about? It looks like a sandbar."

16 And I've been hearing from your consultants
17 here that it's being described as a sandbar. Well,
18 there's sand on top of most of it so that you might
19 think it's a natural structure. And think that it's
20 just sand.

21 But guess what, you can see from the
22 photographs that I brought, it's a massive concrete
23 structure that was built in the 30s, concrete, huge
24 boulders and landfill.

25 What is that doing still at the mouth of the

1 Russian River. And then we talk about artificially
2 breaching. There is no way that somebody could convince
3 me that this massive concrete structure is the same as
4 the sandbar.

5 That defies common sense. Obviously, we
6 put -- we use concrete for bank stabilization. You use
7 concrete for stabilization -- you use concrete as the
8 substructure under rail lines and bridges.

9 Nobody would put a rail line across a sandbar
10 because you know that it's -- It would wash away with
11 the tide. It would wash away by the power of the
12 Russian River.

13 So when these guys were constructing the rail
14 lines, and these guys were moving all this material,
15 they put all of these huge boulders and concrete, so how
16 can we talk about a natural flow of the estuary if this
17 structure remains?

18 So my eyes were opened a few months ago. And
19 I thought, wow, this is one of the best cover ups that's
20 been going on in Sonoma County because I've lived here
21 for 25 years talking about the estuary to breach or not
22 to breach, and what are you breaching?

23 You've having to breach a channel because
24 there's this gigantic concrete structure at the mouth of
25 the Russian River that's impeding the normal and natural

1 flow.

2 The other thing that disturbed me is in
3 talking about this artificial breaching, talking about
4 managing it as a closed lagoon, talking about closing
5 this sandbar, probably the best thing that we can do is
6 undue some of these structures.

7 CHAIRMAN KELLEY: All right. Could you wrap
8 up, please?

9 ANN MOREASE: That's about it. What we need
10 to do is to back off, to realize that all this
11 monitoring, all of this analysis, all of the science of
12 the detail did not seem to be necessary a 100 years ago
13 when the fish were so abundant.

14 So in spite of all our monitoring, in spite of
15 our brilliance, in spite of our degrees, in spite of our
16 biological opinions, what did we see at the very, very
17 beginning, that 90 percent of coho are gone, the
18 chinooks are perilously low.

19 So I suggest we undue some of the structures
20 we've created.

21 CHAIRMAN KELLEY: Thank you. Next speaker,
22 please?

23 BRENDA ADELMAN: Brenda Adelman, Russian River
24 watershed protection committee. Part of my concern
25 is --

1 CHAIRMAN KELLEY: Could you restate your name
2 for our reporter?

3 BRENDA ADELMAN: Brenda Adelman,
4 A-D-E-L-M-A-N, Russian River watershed protection
5 committee.

6 I have a few concerns. One of the big
7 concerns is that you're focused on the estuary and Dry
8 Creek and the actual facility at Wohler and Mirabel.
9 And while I understand the reasons for that, and I
10 understand perhaps other things will be happening at
11 another time to address other issues, nevertheless,
12 you're moving forward on certain specific projects that
13 are going to affect the whole lower river.

14 And what concerns me where I'm -- I've been --
15 most focus has been Forestville to Monte Rio. And for
16 instance your studies on the estuary are looking up to
17 Duncans Mills, but I got word on October 5th that the
18 estuary was going to be open, the mouth of the river.

19 And I had been doing a lot of photographing
20 all summer at Hacienda, Guerneville and Monte Rio, so I
21 became pretty familiar with the flows.

22 And I rushed down to Monte Rio to get pictures
23 that day, and the river was very high, and I went down
24 the next day after the opening had been complete, and
25 the river had dropped approximately 4 feet and

1 approximately 100 feet of beach were revealed in that
2 one day.

3 And another thing I've been noticing along the
4 lower river is a lot of pollution, a nutrient, mostly
5 nutrient pollution is visible. All different kinds of
6 algae have been photographed, including -- well, I won't
7 do details, I'm not an expert on that anyway.

8 But the point being that -- and there's an
9 awful lot of what we do, we do have a lot of pictures of
10 figi (phonetic) along the lower river, which is also a
11 big sign of nutrient pollution.

12 So we have a lot of concerns, and this is all
13 going to be brought up in the decision 1610 process.
14 But one of the big issues is whether or not you should
15 be looking at impacts up to Monte Rio from the estuary
16 changes rather than just up to Duncans Mills, because I
17 think my pictures establish that there are definite flow
18 impacts when you open the mouth of the river at least up
19 to Monte Rio.

20 I didn't observe any impacts at Guerneville.
21 I'm not sure where the point is -- or they taper off,
22 but I do know Monte Rio is heavily affected.

23 CHAIRMAN KELLEY: Okay.

24 You should wrap up there.

25 BRENDA ADELMAN: Yeah. I'll just leave it at

1 that. Those are the main things I wanted to say. Thank
2 you.

3 CHAIRMAN KELLEY: Thank you very much. Next
4 speaker, please.

5 ELLEN FOBNER: I'm Ellen Fobner from Mendocino
6 County. And I am spokesperson for North Coast Consumers
7 Alliance, and we're interested in salmon as a food
8 supply, primarily.

9 The best thing we ever did, my group ever did,
10 is we managed to get the CalTrans to stop spraying
11 roadside Round Up.

12 And I think that was the beginning. To help
13 the salmon also, I think that, well, we did quite a bit
14 of work also on getting certain very bad pesticides
15 banned. And we're pretty proud of that. We think we
16 did something.

17 And what I wanted to talk about today was Dry
18 Creek.

19 There is, to me, a contradiction between
20 naturalization which would be very favorable, and bank
21 stabilization, because bank stabilization, as I
22 understand it, has too often led to a channelization of
23 the river, just because the way water runs against a
24 riprap or a hard surface, it makes the other side erode.
25 What rivers want to do is erode themselves as meandering

1 a stream path, a stream across a flood plain.

2 If this is what the landowners are so
3 delighted to help and go along with, then this would be
4 a wonderful thing because then it would truly be
5 successful and we wouldn't need the pipeline, but I have
6 the feeling that under the circumstances of these
7 vineyards being just jammed right up close to the
8 channelized river of Dry Creek, the channelized stream
9 bed, that we're gonna have to rely on the pipeline.

10 And even then, if the -- if the channelization
11 actually takes place, which it may very well, then even
12 that won't work, so -- because we'll still have an
13 impaired water -- badly impaired watershed.

14 So I do believe that we need a much bigger
15 buffer zone between the vineyards and the -- and the
16 river, so that that river could get its flood plain
17 back.

18 Right now, it's divorced from its flood plain
19 and it would continue to be divorced from its flood
20 plain, and it could not be considered naturalized under
21 those circumstances.

22 So that's why I think that what we should do
23 is really negotiate with the landowners there, and even
24 give them a lot of money for taking that land away from
25 them so that the river can actually get its flood plain

1 back and be a real river. And that's my solution to the
2 problem there, and I hope you will consider it. Thank
3 you.

4 CHAIRMAN KELLEY: Thank you. Next speaker,
5 please.

6 COLLEEN FERNAULT: Good afternoon, I'm Colleen
7 Fernault, and I appreciate your attention to these
8 really critical issues, and I understand these
9 extraordinary challenges.

10 And I believe you all are doing what you think
11 is the best, and I appreciate that.

12 I'd like to find ways to help accelerate what
13 it is that you're approaching, and what proposition 50
14 was first talk about finances and tools to help you
15 along with this project. Proposition 50 was a water
16 bill.

17 And I went and lobbied the state when they
18 were making decisions on how they would appropriate that
19 money. And I told them two things that I thought were
20 most important. And that was having ground water
21 specimens and ground water management plans, as well as
22 having regional cooperation.

23 And fortunately, the state did take that into
24 account and this region was rewarded by putting those
25 two pieces into place.

1 What I think is not being addressed is the
2 ground water relationship to the streams that feed into
3 the river. And what isn't being looked at is what's
4 happening in the West County.

5 You've done some in the Sonoma Valley, in
6 Santa Rosa plain, and a little bit more into the north,
7 but I think the West County has a lot of influence on
8 healthy habitat for the endangered species and really
9 needs to be made a priority in some of your next steps.

10 I'm a member of the Russian River Watershed
11 Council, and I'm not speaking for the council, but I
12 want to address one of the most important benefits that
13 came from our relationship with the Army Corps. And
14 that is the watershed adaptive management plan which
15 unfortunately lost its proposed funding in Proposition
16 84 and it has been harped.

17 I would really like to see whatever efforts
18 are made on behalf of all the entities that are involved
19 in helping the endangered species that you resurrect
20 that, and that you expand it to all the counties, not
21 just the Russian River. And that you get the buy in
22 from those counties at participating in adding to the
23 database, that's incredibly valuable tool.

24 And members that were involved in doing the
25 work in the Dry Creek area were at some of our meetings,

1 and I was suggesting this be a template for the first
2 work project to be used that didn't get a chance to
3 happen.

4 And other tools are being talked about, but I
5 think trying to get every one to use the same tools
6 would provide an avenue to increase the value of those
7 tools and make them good use of our public dollar.

8 CHAIRMAN KELLEY: All right.

9 COLLEEN FERNAULT: And, again, I appreciate
10 your time and attention, and looking at how all the
11 cities, the counties, the NGOs, the -- for profits, can
12 work in partnership to being solution providers.

13 CHAIRMAN KELLEY: All right. Thank you,
14 Colleen.

15 All right. I didn't see anybody else line up
16 at this -- on the wall at this point, so I'll just bring
17 it back to the commission and see if the committee --
18 I'm sorry, if there's any other comments, and I would
19 just mention that we, as I previously stated, we had
20 pretty much decided that we would have these on a yearly
21 basis as updates related to the activities of the bi-op
22 and its implementation.

23 I think we recognize that there may be times
24 over the next few years in which we might want to have
25 more than just yearly meetings just to keep the public

1 and ourselves as different entities informed.

2 But there is an item on here related to next
3 meeting, and so my suggestion is we look at about a year
4 out, that if I hear anything other than that, we can do
5 a meeting as needed.

6 So any questions, comments, of the committee
7 at this point?

8 All right. Seeing none, again, we will make
9 those PowerPoint presentations available first out not
10 to the committee members, and then we will fairly soon
11 have those on our web site.

12 Thank you very much, first, to Ann Dubay,
13 thank you for helping to put this on and putting it
14 together, and all of your staff and the staff of the
15 Water Agency, the Corps, Regional Water Control Board,
16 and Department of Fish & Game, and all those that helped
17 facilitate and make sure that the meeting happened, and
18 with that, we will adjourn.

19 Thank you.

20

21 (Whereupon, at 2:45 p.m., the Public
22 Hearing was concluded.)

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CERTIFICATE OF REPORTER

I, MEGAN F. ALVAREZ, a Certified Shorthand Reporter, hereby certify that the foregoing is a true, correct, and complete transcript of the Public Hearing made this date.

I further certify that I am not in any way interested in the events of this cause.

DATED: _____

MEGAN F. ALVAREZ
RPR, CSR 12470