

## NOTES FROM JENNER COMMUNITY/SCOPING MEETINGS

Jenner Community Center  
Wednesday, May 19, 2010, 6:30 – 9:30 p.m.

### TOPICS:

Community Meeting -- Estuary Adaptive Management Plans for Summer 2010  
Scoping Meeting for Notice of Preparation of EIR on Estuary Adaptive Management

### SPEAKERS (Community Meeting):

Sonoma County Supervisor and Sonoma County Water Agency Director Efren Carrillo  
SCWA Staff: Jessica Martini-Lamb, Chris Delaney, Jeff Church, Dave Cook, Gary Tourady  
National Marine Fisheries staff: Bill Hearn, John McKeon Dick Butler  
PWA Staff: Matt Brennan

### SPEAKER (Scoping Meeting):

Environmental Science Associates: Jim O'Toole

**NOTES – COMMUNITY MEETING** (These notes aren't an official record, but are intended to reflect general questions and responses and to provide information for people who were unable to attend.)

Supervisor Carrillo welcomed people and explained the meeting **purpose** and **format**:

#### Purpose of Meetings:

- September 2008 National Marine Fisheries Service issued a Biological Opinion to the Sonoma County Water Agency and the Army Corps of Engineers regarding water supply and flood control operations on the Russian River.
- Biological Opinion is:
  - 15-year plan developed over a 10-year period
  - Goal of providing better conditions for endangered coho salmon and threatened steelhead.
  - BO is complex, requires the completion of several tasks
  - **A key task – To adaptively manage the estuary to create a freshwater lagoon during the summer and to do this in a way that reduces the risk of flooding .**
- Tonight's discussion is about **ESTUARY ADAPTIVE MANAGEMENT**.

#### Format of Meetings

- **TWO MEETINGS** tonight.
- Informal **COMMUNITY MEETING**.
  - Water Agency staff and Bill Hearn, with National Marine Fisheries Service, will explain what is happening in the estuary this summer and answer questions that have been submitted.
  - Jessica Martini Lamb, a principal environmental specialist with the agency, will provide a brief overview of this summer's activities.
  - Jessica is the only formal speaker during the community meeting. Balance of the community meeting will be responding to questions that have been submitted.
- Second meeting tonight is a **formal SCOPING MEETING FOR THE NOTICE OF PREPARATION ON THE ENVIRONMENTAL IMPACT REPORT** that is being prepared on **long-term changes to the estuary**, as required by the biological opinion.

- **There will be another meeting, on June 9<sup>th</sup> in Guerneville at the Odd Fellow's Hall, to talk about this summer's proposed changes in Russian River flow.**
- We also want to make sure that people understand that the Agency will be conducting a separate EIR, on permanent changes in river flows. The flow-change EIR process will begin in the fall, and there will be multiple opportunities for you to comment.

### **Presentation**

Jessica Martini-Lamb gave a presentation on this summer's estuary activities, including sandbar management, fishery and water quality studies and monitoring of seals and sea lions. She discussed the recently issued Marine Mammal Protection Act Incidental Harassment Authorization (MMPA IHA).

**Questions** (questions are organized by topic, not necessarily order in which they were asked)

### **EIR Process**

#### **Q: Why aren't Russian River flow changes part of the Estuary EIR?**

Response: Supervisor Carrillo explained that the flow changes were the topic of a separate meeting. SCWA staff noted that Jim O'Toole, with ESA, would address issue of separate EIRs later in the meeting, but explained that the Biological Opinion had several different components with different time schedules. SCWA has to evaluate a wide range of river flows for estuary management, so the proposed changes to D1610 (which governs minimum summertime river flows) will be evaluated at the cumulative level in the EIR.

#### **Q: How will the estuary management plan affect Russian River flows (if at all) and RR water levels and how far upstream? How will proposed reduction in river flows from the petition to change D1610 fit in with the estuary management plan? Should the analysis for the permanent changes to D1610 be included in the estuary EIR or vice versa? Why aren't all SCWA's actions related to carrying out the BO evaluated in one CEQA process?**

Response: Estuary is likely to be affected in Duncans Mills and beyond. It takes a long time to change D1610 (an estimated 5-7 years), but the BO requires other activities (like estuary adaptive management to occur much sooner). The BO also makes it clear that estuary adaptive management must occur whether or not there are changes in flows. The potential changes in D1610 will be evaluated in the cumulative impact portion of the EIR.

### **Seals, sea lions**

#### **Q: Why are seals only monitored twice monthly?**

Response: Baseline monitoring is two times a month, plus monitoring whenever there is breaching or lagoon outlet channel management. Because of work of Elinor Twohey and Joe Mortenson, this haulout has a tremendous amount of data.

#### **Q: Why does IHA allow breaching during pupping season when pups are only a week old?**

Response: The National Marine Fisheries Service, which issued the IHA, believes that once harbor seal pups are out of the neonate stage, they are less likely to suffer harm from activity on the beach.

#### **Q: What information exists on the levels of harassment to seals? What can we do to reduce our impacts on the species?**

Response: Elinor Twohey and Joe Mortenson have a very good data set. Agency has a good data set on disturbances, including those caused by boats, kayaks, dogs and people. MMPA IHA includes minimization measures.

#### **Q: Don't seals leave when sand bar closes anyway?**

Response: Previous monitoring shows that the number of seals at the mouth does decline during short duration closures. We don't know how seals will respond to extended closures. Last year the sand bar closed for 30 days and there were seals on the beach, although this occurred during the fall dispersal period for seals.

### **Estuary Studies/Water Quality**

**Q: Specifically related to this summer in the estuary, what kind of studies/analysis will be going on?**

Response: Water quality monitoring, seining, fyke trap, invertebrate study, seal monitoring.

**Q: Where can we find the results/updates of what's happening with the studies?**

Response: Information will be made available to public when data is complete and analyzed.

**Q: What are the limits on testing, particularly water quality testing?**

Response: Limits are currently being determined. They aren't spelled out in BO.

**Q: We must know in advance what the water quality parameters are (including biological and pharmaceutical levels). What exactly is being tested?**

Response: Dissolved oxygen, salinity, temperature, nutrients, bacterial and biochemical oxygen demand (BOD) will be monitored. Temperatures may be a concern. When estuary closes stratified layers are created with some warm saline layers in the upper estuary. The agency will consult with NMFS and CDFG when temperatures become potentially stressful for fish. USGS will be monitoring pharmaceuticals, metals and wastewater constituents.

### **Barrier Beach (Sand Bar) Breaching**

**Q: Does initiation of the EIR mean that the historic (traditional) breaching will continue this summer until the EIR is certified?**

Response: We have to manage the estuary to reduce risk of flooding this summer. The goal is to create a lagoon outlet channel, as described in the BO, but if flooding is imminent, SCWA will breach the barrier beach.

**Q: At what level is breaching triggered?**

Response: At 8 feet the Water Agency will consult with NMFS and initiate breaching.

**Q: At 8 feet or 9 feet? We want certainty.**

Response: (Bill Hearn, NMFS) There is certainty that there won't be flooding. We know 7 feet is safe and 10 feet is terrible. If things go sour, there will be breaching.

**Q: By what methods will water level be kept at 7 feet?**

Response: By creation of a sand outlet channel that allows river water to go out and prevents ocean water from coming in. The outlet channel is created with beach sand.

**Q: Why won't this sand channel just open again like it normally does?**

Response: Historically, the Water Agency has made a v-notch ditch in the sand bar, and because water levels in the estuary are so high, the water rushes through, scouring out the channel. In the future, the agency will make a longer, wider, angled channel at high-tide when the estuary levels are lower. This should mitigate the scour velocities.

**Q: Where is the plan for this channel?**

Response: Plan will be released this summer.

**Q: What is proposed design of outlet channel?**

Response: Already described and will be described in more detail by ESA. Because plan is adaptive, it can be changed depending on ocean conditions.

**Q: What if this doesn't work?**

Response: Other alternatives will be evaluated.

**Q: Currently the river flow is at 1,000 cfs at Hacienda. Flows will probably still be high in June. How will this affect the plan?**

Response: Two driving energies keep the estuary open – waves and flow. Probably won't close until flows are lower.

John McKeon, NMFS: Studies on closures done on West Coast find that generally estuaries don't close until flows are around 200 cfs.

### **Jetty**

**Q: The biggest problem is the jetty. Why don't you remove it?**

Response: The BO requires that jetty modifications be studied to determine if its modification or removal would help to achieve the estuary management goals in the Biological Opinion. The Water Agency has accelerated that study by a year but there are many questions about jetty removal, including its size, how it would be removed, impacts of its modification or removal on the beach, fish, seals and plants.

### **Estuary definition, wave, surfing**

**Q: Define boundary of estuary? Will it change?**

Response: The upstream boundary of the estuary is considered Duncans Mills.

Bill Hearn, NMFS: Estuary is where river hits ocean and water is brackish. Technically, that's Duncans Mills but there is a zone where water backs up that's technically not the estuary but a backwater. The backwater can extend all the way to Monte Rio.

**Q: Have there been any considerations of the destruction of the wave (surfing) by this plan?**

Response: The plan evaluates the outlet channel, not beneficial uses. But the EIR will address the impact of the plan on recreation.

**Q: Why hasn't the impact on the wave been considered?**

Response: We need to look at impacts on recreation, including surfing. During the Scoping Meeting, you can make a formal comment asking us to look at the impact on surfing.

Supervisor Carrillo noted that Dian Hardy had sent a letter that she asked to be read during the meeting. Given the limits on time, the letter wasn't read but is included in the meeting notes that will be posted online.

### **SCOPING MEETING NOTES**

Jim O'Toole, ESA, made a presentation on the project and the CEQA process.

He directed people to staffed tables, where they could ask questions and leave formal comments.

### **EIR Process**

**Q: How do you get comments if people are walking around, and if they aren't being recorded for the administrative record?**

Response: Purpose of scoping meeting is to get public input on the scope of the draft EIR. The written comments that are received are part of the administrative record. All written questions that have been received – including those that were made as part of the community meeting – will be included in the administrative record and will be incorporated in a Scoping Report that will be appended to the Draft EIR.

**Q: So my name will go into the record along with all the questions that I submitted, even those that weren't specific to the NOP?**

Response: Yes. Under CEQA, the EIR must address comments specific to the scope of the Draft EIR; however, given the unique circumstances of the meeting format, both the Community meeting comments and the formal NOP comments will be incorporated into the Scoping Report.

### **Project**

#### **Q: What is baseline for water depth/flow?**

Response: Baseline isn't cut and dry. Usually, the conditions at the time of the NOP establish baseline but this EIR will characterize historical conditions and the project changes from past estuary conditions.

#### **Q: Is there any mechanism in plan to allow modulation of flow?**

Response: The EIR will look at environmental impacts associated with the proposed lagoon management and outlet channel under a broad range of flows.

#### **Q: Earlier it was said that "managing flows to minimize flood risk is a part of the process," and the range of flows in the summer under the BO is only 70-85 cfs. So how are you going to look at a range of flows?**

Response: Flows right now are 1,000 cfs at Hacienda. Spring and early summer conditions could be much higher than 70-85 cfs. We have to look at a broad range.

#### **Q: The Temporary Urgency Change Petition only asks for lower flows in the lower part of the river, solely for estuary management.**

Response: That's not correct. The TUCP requests flows of 125 cfs in the upper river this year. In a normal summer flows would be between 150-180 cfs in the upper reaches of the river.

Bill Hearn, NMFS: The TUC will affect flow throughout the main stem river. We know there is a lot of concern. Two EIRs are necessary because changing D1610 will take 7 years. Permits need to be issued at the end of this year for SCWA to continue estuary management. A timely EIR is necessary for this to occur. The D1610 EIR will be a long-term process that will include many opportunities for comment.

#### **Q: What will the additional water be used for? Will EIR address contracts with Water Contractors?**

Response: That's the topic of the meetings regarding the D1610 change EIR.

#### **Q: Will alternative analysis look at the possibility of elevating structures?**

Response: Yes.