

Minutes

Dutch Slough Restoration Committee Second Meeting June 30, 2004 Contra Costa Farm Bureau, Concord, CA

Attendees

Restoration Committee

Jeannie Blakeslee, CA Department of Conservation
Frank Wernette, CA DFG, Habitat Conservation Division (CVBD Branch)
Jessica Cooper, CA State Senate, District 7, State Senator Tom Torlakson
Joan Douglas, City of Brentwood Planning Commission
Abby Fateman, Contra Costa County
Paul Detjens, Contra Costa County Department of Public Works
Carol Arnold, Contra Costa County Resource Conservation District
Mary Grim, Contra Costa County Resource Conservation District
Carla Koop, Contra Costa County Resource Conservation District
David Briggs, Contra Costa Water District
Bill Chilson, Contra Costa Water District
Margit Aramburu, Delta Protection Commission
Mike Anderson, East Bay Regional Park District
Barbara Burns, RD 799
Dee Kerry, RD 799
Marilyn Latta, Save The Bay

Project Team

Nancy Kaiser, City of Oakley
Tom Hall, DWR and RD 2137
John Cain, NHI
Sarah Beamish, NHI
Jeff Melby, Coastal Conservancy
Mary Small, Coastal Conservancy

Pre-Meeting Handouts

- Revised Goals, Objectives and Implementation Commitments
- Minutes from November 18, 2003 Restoration Committee Meeting

Check in and Introduction

Jeff Melby introduced himself as the new Dutch Slough project manager from the Coastal Conservancy. He announced that he is taking over for Mary Small and praised Mary for her excellent work in moving the Dutch Slough project forward. Jeff reviewed the agenda and purpose of the Dutch Slough Restoration Committee.

The purpose of the Committee is to provide a forum for information exchange, to obtain input into the restoration planning and to keep interested partners informed about other projects and regional issues that affect the Dutch Slough project.

Revised Goals, Objectives and Implementation Commitments

Jeff Melby reviewed the latest changes to the Dutch Slough Project goals and implementation commitments. He reported that the goals have been simplified and the project team has taken into consideration the suggestions of the Restoration Committee from last meeting. The revised goals of the project are to:

1. Provide shoreline access, educational and recreational opportunities.
2. Benefit native species by re-establishing natural ecological processes and habitats.
3. Contribute to scientific understanding of ecological restoration by implementing the project under an adaptive management framework.

Frank Wernette asked Jeff to summarize the latest changes to the goals, objectives and implementation commitments. Jeff read the addition of the new implementation commitment to minimize conditions that promote the production of mosquitoes and associated diseases. Sarah Beamish reported that the protection and enhancement of waterfowl at the site had become more of a priority and that waterfowl had been moved up in importance from a Tier 3 species to a Tier 2 species in Table 1 on the last page of the goals. Margit Aramburu asked if it was implied that the Dutch Slough goals were consistent with CALFED's goals, and if not, suggested that the project team state this in the goal handout. Mary Small responded that it was implied that the goals were consistent with CALFED's goals.

There were several comments on the implementation commitments. Barbara Burns suggested that maintaining flood protection should be one of the implementation commitments. A few people suggested changing implementation commitment #3 from *measure* water quality impacts to *improve, minimize* or *mitigate* water quality. This could be achieved by combining implementation commitment #1, avoid and/or mitigate degradation of drinking water quality, with #3 to incorporate the protection and measurement of water quality for species and ecosystem health as well as for human consumption. Abby Fateman suggested that implementation commitment #5, design and manage project to minimize conditions that promote the production of mosquitoes and associated diseases, be re-worded based on conversations with Karl Malamud-Roam to incorporate the overall protection of public health. The implementation commitment could read: design project to minimize negative affects on public health, such as limiting the production of mosquitoes and other associated diseases.

There was a question whether or not the project was going to establish performance measures and have a monitoring component. Mary Small assured the Restoration Committee that the project incorporates both.

Dutch Slough Restoration Planning Update

Jeff Melby reported that the project team gave a presentation on the Dutch Slough project to the CALFED Science Board and Ecosystem Restoration Program. The project received very positive feedback from all the scientists at CALFED.

Jeff distributed a handout on the project planning schedule and process. Project implementation is scheduled to begin in 2006.

Jeff reported that the Dutch Slough Adaptive Management Working Group (AMWG) has met three times and is scheduled to meet again in September. The project team hired a consultant, Philip Williams & Associates, who is working with the AMWG to develop a feasibility study. The group suggested organizing Restoration Committee meetings after AMWG meetings to update the Restoration Committee.

Update on Interim Activities on Dutch Slough Property

Tom Hall reported what is happening on the ground at the Dutch Slough property, which was transferred to the CA Department of Water Resources (DWR) on October 30, 2003.

1. Grazing leases for all three parcels

All three parcels are being leased for grazing beef cattle, growing hay and a vineyard.

2. Formation of RD 2137

DWR has helped form Reclamation District (RD) 2137, which oversees the Emerson and Gilbert parcels. The Burroughs parcel is managed by RD 799.

3. Levee survey for RD 2137

An engineering firm has conducted field surveying services that include centerline levee profiles (50' intervals), levee cross sections (500' intervals) and elevations to establish permanent station markers that will assist in calculating hypothetical fill and quantities for wildlife friendly levees.

4. Levee habitat survey for RD 2137 with DFG

Data for land and waterside surveys completed in May were submitted to Cal State University Chico for mapping of general habitat types.

5. Cultural resources survey

A DWR cultural resources specialist completed an archeological survey in May 2004. The final result was a negative archeological resources survey report (architectural survey not completed).

6. Wetland delineation and rare plant survey

DWR staff re-surveyed the Emerson and Burroughs parcels to recertify wetland delineations previously conducted on the properties. The Corps of Engineers certification expired December 31, 2003. In addition, a complete delineation on the Gilbert parcel is scheduled to be finished by the end of July.

A spring rare plant survey was completed on the Dutch Slough property. Although DWR biologists thought they found the rare Antioch Dunes evening primrose (*Oenothera deltoids howellii*), after checking it with a rare evening primrose at the Antioch National Wildlife Refuge, it turned out not to be the rare and endangered species. Late summer and fall surveys are scheduled for other rare plant species such as the Suisun marsh aster (*Aster lentus*) and Mason's lilaeopsis (*Lilaeopsis masonii*).

7. Groundwater monitoring wells

DWR and the Contra Costa Water District (CCWD) have created a successful partnership to monitor groundwater. CCWD has one existing well and DWR is scheduled to set up six new wells, complete with data loggers, next week. These wells will give both DWR and the CCWD a better understanding of directional flows of groundwater, water quality and tidal water influence.

8. Negotiation of short and long-term gas well leases

There were a total of 11 natural gas wells on the Burroughs and Gilbert parcels. Although there is only one commercially producing well on the Burroughs property, the purchase and sale agreement does allow for the reopening of a prior abandoned well. The 3 wells on the Gilbert property have already been plugged and abandoned. A private company retained the mineral and constrained surface rights as part of the sale to DWR. However, soon after DWR took ownership of the property the mineral rights were sold to a new private owner who is interested in extracting minerals now. Although future exploration will need to be accommodated, DWR maintains surface entry rights of up to 1.5 acres on each parcel. DWR is looking into opportunities that short-term royalties from extracting natural gas may bring to the project.

Frank Wernette suggested that Tom talk to Dave Felez at Department of Fish and Game about working out lease issues.

Public Access Planning Update

Nancy Kaiser presented the City of Oakley's plans to create a Public Access Master Plan during the 2004-2005 calendar year with a grant made possible by the California Coastal Conservancy. The City is wrapping up the Request for Proposals (RFP) process now and hopes to select a consulting firm in September with special expertise in community park and natural resource planning. Stakeholders will also be notified of this upcoming process and can participate in six community meetings, which are part of the planning process. Nancy also reported that the Oakley City Council is pleased with the progress of the Dutch Slough Restoration Project.

Nancy explained that the Public Access Master Plan is looking at creating a sports facility on the 55-acre community park site, incorporating public access to the trails around the property and linking the community park with the new development south of the canal. The City plans to explore the creation of a marina or motorized boat access area on the 8-acre parcel in the northeast corner of the Burroughs parcel, and the 27-acre parcel owned by the City southeast of the Contra Costa Canal is zoned for commercial development.

RD 799 would like to be informed of this public access planning process. DFG expressed a special interest in getting involved, especially helping with family activities such as angling for kids, and access for disabled.

There were several questions about how the City plans to incorporate the wetland restoration project into a recreation and sports facility. Mike Anderson suggested looking at the Martinez Regional Shoreline as an example of incorporating these two uses. DFG reported that a major issue they faced was how to control access to sensitive fish and wildlife species.

Sarah Beamish reported on three ways the public can get involved in and learn about the site in the interim while the City is implementing the Public Access Master Plan.

1. Guided walking, biking and canoe tours

The project team is currently looking at funding opportunities to open the Dutch Slough site to the public by leading guided tours or training community members to conduct docent-lead tours. NHI has been in communication with Save The Bay about taking adults and children canoeing on Emerson slough.

2. East Bay Regional Park District (EBRPD) trail on paved portion of the levee

The EBRPD currently has a license agreement with the Contra Costa County Flood Control and Water Conservation District to operate a trail on the paved portion of the Emerson levee, which extends approximately half way around the Emerson parcel. The City of Oakley, EBRPD and the project team have been working together to determine how to open this trail as soon as possible. Maintenance, policing and cost are major issues that need to be worked out before the trail is opened. The trail will most likely be only slightly improved in the interim because the restoration project may affect the Emerson levee and the trail in the next several years. The partners will work with the EBRPD and the City to determine a long-term trail plan after the restoration is complete.

3. Educational opportunities for the public

There are opportunities for the public to learn more about the natural resources on the site by conducting vegetation surveys, bird counts, removing exotic species, collecting native seeds and incorporating the Dutch Slough site into the curriculum of local schools. The project team is currently pursuing how to fund these education programs.

Margit Aramburu suggested talking with the Stone Lakes National Wildlife Refuge about their docent-lead tours. They have an on-site facility and a program called “take a walk on the wild side”. Tom Harvey is the contact at the Refuge.

Mike Anderson suggested putting interpretive signs up now about the Dutch Slough project. These signs could be placed along on the Marsh Creek trail before the bridge over Marsh Creek.

Other Projects, Issues and Coordinated Restoration Efforts

One of the goals of the Dutch Slough project is to keep interested partners informed about other projects and regional issues that affect the Dutch Slough project. The following projects were discussed.

1. Marsh Creek

Sarah Beamish reported that NHI, the Contra Costa Resources Conservation District, the Delta Science Center and the California Coastal Conservancy were working on conducting outreach and education on Marsh Creek. Marsh Creek forms the western border of the Dutch Slough project. Outreach and education activities along Marsh include forming a Friends of Marsh Creek, conducting a monitoring program for water quality, salmon and other species, and incorporating Marsh Creek into the curriculum of local schools. The project team hopes to link outreach activities along Marsh Creek with education at Dutch Slough. John Cain announced that the AMWG has been pursuing the idea of routing Marsh Creek into the Dutch Slough site.

2. Contra Costa County Open Space Initiative

Carol Arnold announced that the County is conducting a mail-in ballot initiative for landowners in Contra Costa County to vote on protecting open space. Ballots will be accepted until the middle of July. To find out more information call the Contra Costa Open Space Initiative hotline at (925) 335-1232.

3. East Contra Costa County Habitat Conservation Plan

Abby Fateman presented an overview of the East Contra Costa County Habitat Conservation Plan (HCP), a regional plan to address needs of specific species in East County. Mitigation fees provide funding to protect habitat. The EIR/EIS will be done at the end of summer and the program is expected to get started in the middle of next year. Visit www.cocohcp.org to find out more information, attend HCP meetings, see maps or review the draft strategy.

4. Bethel Island fire

Since Marguerite Lawry, Bethel Island Municipal Advisory Committee, was unable to attend the meeting, Sarah Beamish gave an update on the Bethel Island Fire based on her conversation with Marguerite. An underground peat fire began on Bethel Island on Sunday, June 6th and was at least 80 acres. Marguerite said the fire was being controlled by pumping water and flooding the area. Tom Hall reported that there was also a peat fire at the Dutch Slough site a couple months ago, but it was contained and fully extinguished. Peat fires are dangerous because they can burn for a long time underground.

5. Jones Tract flooding

Tom Hall presented a short video from DWR on the flooding of Jones Tract. The video showed the levee breaking, water rushing into the island, strong winds eroding the inner, un-enforced levees and Conservation Corps and prison crews reinforcing the levees with rock, sand bags and plastic sheets. The levee breach caused 12,000 acres of farmland to flood with 15,000 acre-feet of water. It took about 4-5 days for

the island to reach equilibrium and fill up to 10-15 feet deep in places. The hole in the levee will be plugged in the next few days. Approximately 200,000 acre-feet of fresh water was released from upstream dams to flush out salt water intruding into the Delta due to the breach. The State Water Project pumps were shut off for about 1-2 days, a shorter amount of time than the CCWD expected.

Flooding of Jones Tract spurred discussions on flooding Dutch Slough. When Jones Tract was flooded neighboring Delta islands experienced seepage problems. It is unpredictable where seepage will occur without a detailed soil analysis. Water quality monitoring conducted by DWR and CCWD will look at water elevations. Flooding is believed to occur when porous sand is present under the peat layer and can transport water underground to neighboring areas. The elevation at Dutch Slough is much higher than at Jones Tract, which may decrease negative impacts of flooding. Elevation was a major reason Dutch Slough is such a good opportunity for a wetland restoration project.

6. Delta Science Center at Big Break

Mike Anderson reported that the EBRPD is working on the first phase of building the Delta Science Center. They have constructed 120 feet of an observation pier, which they hope to open at the end of summer. They are currently clearing the site and preparing access, which includes a bridge connection from Lauritzen to the Big Break trail. EBRPD is working with Los Medanos Community College to get a grant for construction. Mike expects building to get underway in 2007-08. EBRPD is also working with Los Medanos to create a major education program and public access.

7. RD 799 Levee Project

Barbara Burns reported that RD 799 has been working on a special project to restore the Burroughs levee, which has been experiencing some sloughing on the landside slope. They spent \$20,000 to restore the levee.

Questions and Comments

Flooding and seepage due to the Jones Tract flooding caused the RD 799 to bring up some concerns about the Dutch Slough project. The Burroughs parcel experiences sloughing at normal water levels and the RD 799 is concerned that flooding the Gilbert parcel would cause seepage on the Burroughs parcel. John Cain suggested enforcing the toe berm (on the inside of the levee) or grading the inside of the levees at a more gentle slope (5:1). Marilyn Latta suggested looking at Tolay Creek in San Pablo Bay National Wildlife Refuge as an example of a restoration project where the inside levee is too steep and how the US Fish and Wildlife Service (USFWS) is trying to reinforce it. The USFWS are using an adaptive management approach to restore the levee and have tried using a jelly roll erosion mat made of earth and 40-foot benches with vegetated mats.

RD 799 also expressed concern about urban development pressure on neighboring parcels and flooding. The RD recently decided to get involved in the development of Hotchkiss Tract, which borders the Dutch Slough site on the east. The project team and RD 799 will need to discuss the construction of the new Burroughs parcel levee.

Although sheet piling is one method being explored to protect urban areas from the FEMA-designated 100-year flood zone, it has many problems. Shea Homes is spending millions of dollars to build their own levee around the Cypress Lakes development. Instead of building separate levees, the RD would like developers to reinforce existing levees.

The CCWD expressed concerns about the Dutch Slough project affecting the unlined canal that borders the Dutch Slough site to the south and is interested in working closely with the Dutch Slough partners and keeping track of the process. After extensive groundwater studies, the CCWD has found groundwater seepage issues along portions of their canal. They have also found that secondary treated wastewater is getting in the canal. CALFED recently gave CCWD a grant to line a portion of the canal where these seepage issues exist. David Briggs estimated that it costs \$9 million to line 2000 feet of the canal. CCWD is also concerned about public access and having an open water canal through an urban area. They are interested in pursuing more funding to line the canal or put the water in a pipeline. CCWD could explore opening up the right-of-way on the CCWD canal for public access if the water is piped and covered. David Briggs also reported that the Cypress Grove development project south of the canal is building their own FEMA-certified 100-year flood-control levee around their houses. David would have liked to work with the developer to incorporate the lining of the canal into Cypress Grove, but the development moved forward too quickly.

David suggested that the CCWD and RD 799 be added to future Restoration Committee agendas to give updates and discuss flooding and groundwater issues.

Future Communication

Sarah Beamish reported that the Dutch Slough web site is up and running at www.dutchslough.org. Submit comments and questions on the comment page. All information about future Restoration Committee meetings will be posted on the web site.

The Restoration Committee requested that the next meeting is held in October or November 2004 in the City of Oakley after the AMWG meeting.