



**Reach 4B, Eastside Bypass, and Mariposa Bypass
 Channel and Structural Improvements Project
 Landowner Meeting
 Thursday, July 21, 2011, 1 – 4 p.m.
 San Luis Canal Company
 11704 Henry Miller Avenue, Dos Palos
 Meeting Notes**

Attendees:

Michelle Banonis	Bureau of Reclamation – Mid Pacific Region
James Batey	Lower San Joaquin Levee District
Carrie Buckman	CDM (Consultant)
Darrell Chism	Lower San Joaquin Levee District
Brian Crook	CDM (Consultant)
Kim Forrest	San Luis National Wildlife Refuge Complex
Alicia Forsythe	Bureau of Reclamation – Mid Pacific Region
Margaret Gidding	Bureau of Reclamation – Mid Pacific Region
Reggie N. Hill	Lower San Joaquin Levee District
Chase Hurley	San Luis Canal Company
Dan McNamara	Landowner
Dave Mooney	Bureau of Reclamation – Mid Pacific Region
Craig Moyle	MWH (Consultant)
Stacy Porter	CDM (Consultant)
Scott Rice	California Department of Water Resources (Consultant)
Paul Romero	California Department of Water Resources
Chris White	Central California Irrigation District
Dennis Woolington	San Luis National Wildlife Refuge Complex

Introductions, Meeting Objectives and Agenda

Brian Crook, facilitator, opened the meeting with introductions and reviewed the agenda. The primary purpose of the meeting was to provide an update on the Reach 4B Project and to present a set of five initial concepts.

Reach 4B Project Powerpoint Presentation

Project Updates and Revisions

- Michelle Banonis presented an overview of the Reach 4B Project and the changes to the project since the last landowner meeting

- The project will now analyze a range of alternatives up to 4,500 cubic feet per second (cfs), will include rearing habitat, and will inform the High Flow Study called for in the Settlement

Initial Concepts

- Carrie Buckman presented five initial concepts for Reach 4B (see presentation)
- The initial concepts are very preliminary and were developed to represent a wide range of environmental effects
- The concepts are expected to change with input from landowners and other stakeholders

Upcoming Field Activities/Surveys

- Craig Moyle gave an overview of upcoming field activities/surveys for the overall San Joaquin River Restoration Program (SJRRP), including Reach 4B surveys (see handout)

Overall San Joaquin River Restoration Program Updates

- Michelle gave a brief overview of the SJRRP, noted that the Program EIS/R was released to the public for comment and that the comment period was extended to September 21, 2011
- Dave Mooney provided an overview of Interim Flows, Seepage and Management, and the Sand Slough Conveyance Project
- Interim Flows are transitioning into the summer base flows (350 cfs), needed for holding habitat for spring-run Chinook salmon and to connect the river channel
- The Sand Slough Conveyance Project was initiated to determine if the Sand Slough Control Structure is backing up water and should be removed; a report will be made available to the public soon

State Lands Commission Update

- Paul Romero gave a brief update on the State Lands Commission surveys
- The State Lands Commission is completing the compilation maps, which document historical conditions based on available references. The maps will likely be available for the Reach 4B area by the end of August.
- It is important for landowners to review these maps to ensure they are accurate.
- After the presentation, there was an open discussion. The questions/discussion topics are outlined below

Open Discussion Topics

Brian Crook, facilitator, thanked the presenters and then opened up the floor for a general discussion.

Purpose and Need Revisions

Presenters explained that several concerns over the Reach 4B Project Purpose and Need prompted Reclamation to expand the project to examine channel options up to 4,500 cfs and to include rearing habitat for fish. The group wanted to know who was concerned about the Purpose and Need. Reclamation explained that scoping comments were received from landowners that expressed concerns regarding the potential to complete construction twice in the Reach 4B area. Additionally, fish experts of the Implementing Agencies were concerned

that juvenile fish would not be able to survive the approximately 35 miles of channel in Reach 4B without rearing habitat for shelter, resting, and food.

Initial Concepts

The group asked if the river channel impacts would now be greater because of floodplain habitat. Reclamation explained that the impacts could be greater with the inclusion of rearing habitat. However, rearing habitat is not just limited to floodplain habitat. It could also include in-channel habitat improvements such as large woody debris.

One of the initial concepts shows 475 cfs in the river channel only under flood flows. The group asked if this would still meet the Settlement if it does not include year-round flows in the channel. Reclamation believes that this would still meet the Settlement requirements which state “convey at least 475 cfs through Reach 4B of the San Joaquin River Channel”.

One of the initial concepts proposes to change the elevation in the Mariposa Bypass, allowing for the removal of the Drop Structure. The group asked if there would still be erosion concerns if Reclamation were to change the grade in the Mariposa Bypass. The LSJLD said that they would still be concerned about erosion. Reclamation added that if this concept is selected, additional engineering designs would be developed and modeling would be completed to determine how this concept would perform.

The group discussed the use of channels for Interim and Restoration Flows required by the Settlement. The group noted that the Settlement says conveyance must be provided in Reach 4B or another channel. The Eastside Bypass is currently proposed as the “other channel;” however, if landowners or other stakeholders have suggestions for a different channel, please let the Reach 4B Team know. They will consider other channels.

The group discussed how the Reach 4B Project is related to the Report to Congress called for in the Settlement. The Reach 4B Project EIS/R, engineering designs, and associated studies will inform the Report to Congress.

The group asked if there would be a Value Planning Process for this project, similar to what occurred for Reach 2B. Reclamation is currently planning one in November 2011.

Rearing Habitat

The group asked if, under the revised project, 475 cfs could occur in the river channel without fish habitat. Reclamation referred back to Initial Concept 2 from the PowerPoint presentation, which includes 475 cfs of flood flows in the river channel. Fish would not generally use the Reach 4B1 channel in this concept; therefore, rearing habitat would not be required in Reach 4B1. Rearing habitat would be required only in the Eastside and Mariposa bypasses for Initial Concept 2.

There was a discussion on rearing habitat, would the project still be feasible if no rearing habitat was provided in the Reach 4B study area, and if it is not feasible, how much rearing habitat would be necessary. Reclamation responded that there has not yet been an assessment to determine if the project would be feasible without any rearing habitat. Reclamation said that

they and the Implementing Agencies are working with the fish experts to try to determine how much rearing habitat is necessary, but at this point, they do not know how much rearing habitat is necessary in Reach 4B. The Fisheries Management Plan states that 8,000 acres of habitat is necessary for the entire river, but this is a very preliminary estimate and will likely change. Additionally, it does not provide specific goals for each reach.

Fish Barriers

The group asked how the project would keep fish from going up the Eastside Bypass. The Reach 4B Team is currently considering a picket barrier to keep fish from entering unsuitable waterways. The group also noted that a fish screen placed in the Eastside Bypass channel would need to be extremely long and wondered if it were feasible. Reclamation is currently exploring options and has not yet examined the feasibility of fish screens. Preliminary engineering designs being developed by Reclamation's Technical Services Center will help us evaluate the technical feasibility of the elements presented as part of the initial concepts.

Flood Control and Facilities

There was some discussion on the purpose of the Mariposa Drop Structure. The Lower San Joaquin Levee District (LSJLD) explained that the main purpose of the Mariposa Drop Structure is to prevent erosion by absorbing energy.

The group asked if the LSJLD had developed any potential flood impact mitigation options for this project. Reggie Hill stated that the LSJLD has not developed any mitigation options. Continued discussions with the LSJLD are important to help develop such options.

The group asked if Reclamation was considering the Merced Stream Group when developing concepts. Flow from the stream group is sporadic, but when it occurs you cannot put flows in the bypass. Reclamation responded that the engineers designing the concepts are considering the Merced Stream Group and how that could affect flows.

Recreational Boating

The group discussed the presence of recreational boating as a trespassing concern. During the high flood flows, recreational boaters were found in the Eastside Bypass. Because the river is considered navigable, the group wanted to know if recreational boating would be allowed in the future after the projects are complete. At this point in time Reclamation considers the bypasses private property. Therefore, recreational boaters would be trespassing. Currently they do not know if State or Federal laws allow for recreational use of navigable waterways. This is something the team will need to look into as they develop concepts. They recognize that this is a safety issue.

Project Costs

Presenters identified that concepts including higher flows in the river channel, would require some existing bridges to be replaced. The group wanted to know the costs of replacing these bridges and if this information would be available to the public. Reclamation responded that the initial concepts are at a preliminary level of design at this time. However, when the alternatives are further developed, it is expected that preliminary costs will also be developed and used to analyze and evaluate alternatives. The cost estimates will be made available to the public.

There was some discussion on costs and how they were necessary for decision making. The group wanted to know when cost would be considered in the decision making process. Reclamation explained that the National Environmental Policy Act and the California Environmental Quality Act do not require a comparison of costs in an environmental document; however, cost will be a factor in selecting final alternatives for evaluation in the environmental document. As part of the engineering designs, preliminary costs will be developed for the alternatives and will be made available to the public.

The group noted that the project could be extremely expensive, especially if the full 4,500 cfs is implemented and bridges need to be replaced. Additionally, it comes at a time during troubled State and Federal budgets. The group pointed out that the project could result in the loss of hundreds of acres of prime farmland that could feed and clothe many people in this country and that it does not seem worth it to lose these benefits for some fish. The group wanted to know if there would be a cut-off – if the project would stop if it was determined to be too expensive. Reclamation recognizes that the costs of this project could be very high; however, Congress has passed an Act directing Reclamation to move forward with the Settlement. The people in this room do not have the authority to decide whether or not to implement this project, but decision-makers will use environmental documents prepared through this process to make decisions. However, if the project is not implemented, Reclamation would not meet the terms of the Settlement and would have to go back to court. The cost of going back to court could also be extremely expensive. Before any such decisions can be made, the Reach 4B Team needs to determine the overall costs of implementing the project and the potential impacts.

State Lands Commission Compilation Maps

There was a general discussion on the State Lands Commission maps. These should be available for the Reach 4B area by the end of August. Reclamation and DWR will try to set up another meeting for the Reach 4B area landowners to present the results of the maps. It is important for landowners to review these maps. These maps present a summary of all the information gathered (such as the historical alignment of the channel) and will be used to determine what lands fall under the State's jurisdiction. Landowners should review these maps to provide input and local knowledge.

The Overall SJRRP and how it relates to the Reach 4B Project

There was much confusion by the group regarding the Program EIS/R and how it relates to the Reach 4B Project. The Program EIS/R addresses the entire SJRRP and all of its components, as a whole, but at a very general level of detail because the site specific projects like Reach 4B do not have final alternatives developed yet. The Program EIS/R contains alternatives for the Reach 4B Project that are very general in nature. The Reach 4B Project will build from these alternatives presented in the Program EIS/R. Final alternatives for the Reach 4B Project will be analyzed in a Reach 4B Project EIS/R. Landowners will have a chance to comment on both documents.

There was confusion regarding the difference between scoping comments and comments submitted on a Draft EIS/R such as the Draft Program EIS/R. Scoping is the first step in the environmental review process. Comments received during scoping are used to help develop

alternatives and define the scope of the environmental analysis. After a Draft EIS/R document is released to the public, the public may submit written comments on the document. Comments submitted on a Draft EIS/R require responses by the lead agencies. These responses are provided in the Final EIS/R that is also released to the public.

Feedback from the Group

- Initial Concept 2 may not help address sediment issues.
- What is rearing habitat and why is it needed?
- Several initial concepts increase the capacity of the bypass. Levees cannot be raised in the bypass; they have been raised twice already. Levees would have to be moved to increase capacity.
- This project will require U.S. Army Corps of Engineers Section 408 approval because it proposes modifications to the flood system. With all the potential modifications, it is likely that quite a bit of mitigation will be required.
- Levee setbacks are not good for the LSJLD. Levee setbacks remove land and therefore reduce LSJLD revenues, while increasing overall O&M costs.
- Herbicide applications in August and September may affect some of the planned surveys or other field work.
- It would be very helpful to include a ballpark cost estimate for each of the Initial Concepts; even a color-coded chart just showing high, medium, and low costs would be helpful.
- What amount of habitat is necessary and sufficient for the Reach 4B Project and the entire Program? We need to make sure it is actually feasible. Please bring this information to the next meeting.
- It would be helpful to provide an overall chart that shows the timeline for the SJRRP and how it is related to the Reach 4B project.

Action Items

- Schedule next landowner meeting tentatively for late August with a presentation by the State Lands Commission.
- Develop a graphic that shows the overall SJRRP timeline and how the Reach 4B Project is related to the overall SJRRP.
- At next landowner meeting, present an overview of the process that will be used to determine the amount of rearing habitat needed in the Reach 4B study area.