

ADVISORY COMMITTEE MEETING SUMMARY

December 9, 2022, 9 – 11 AM

Zoom virtual meeting

Meeting Objectives

- Reach a shared understanding of the NRCS Rapid Watershed Assessment of potential financial incentives for landowner conservation practices
- Identified types of potential and perceived risks related to shallow inundation conservation practices

Action Items

N/A

Welcome and Introductions

Julie Leimbach (Leimbach), Kearns & West, welcomed all attendees. Advisory Committee (AC) members and additional participants in attendance are listed in the table below.

Advisory Committee Members & Other Attendees	Affiliation
Andy Duffey	Reclamation District 70, 1660 / Tisdale Irrigation District, Butte Slough Irrigation
Baker Holden	USFWS
Bjarni Serup	CDFW
Brian Ellrott	NMFS
Craig Fleming	USFWS
Craig Isola	USFWS
Dan Fehringer	Ducks Unlimited
David Rasmussen	Environmental Protection Agency
Eric Hernandez	Yocha-Dehe Wintun Nation
Greg Krzys	Glenn-Colusa Irrigation District
Hans Herkert	RD 1004

Advisory Committee Members & Other Attendees	Affiliation
He-Lo Ramirez	Mechoopda Tribe
Jacob Katz	California Trout
Jesus Esparza	DWR
Jim Earley	USFWS
Jim Wallace	Wallace Bros. Farms / Colusa Drain Mutual Water Co. / Colusa Groundwater Authority
Justin Fredrickson	California Farm Bureau Federation
Mark Thompkins	FlowWest
Mary Jimenez	DWR
Matt Brown	USFWS
Patrick Spielman	Mechoopda Tribe
Rodd Kelsey	The Nature Conservancy
Roger Swanson	Wild Goose Club
Ryan Luster	The Nature Conservancy
Socorro Reyes-Gutierrez	Yocha Dehe Wintun Nation
Todd Manley	NCWA
Torey Byington	River Partners

The following Program and Technical Team members were in attendance:

Program or Technical Team	Affiliation
Barry O'Regan	KSN
Bethany Taylor	Kearns & West
Bronwen Stanford	SFEI
Chris Campbell	cbec
Eric Holmes	Kearns & West

Program or Technical Team	Affiliation
Eric Nagy	LWA
Holly Dawley	KSN
John Stofleth	cbec
Julie Leimbach	Kearns & West
Katherine Montañez-Montez	Kearns & West
Kristen Sesser	Point Blue
Lewis Bair	RD 108
Karis Johnston	Kearns & West
Kayla Kelly-Slatten	Kearns & West
Mark Cowen	LWA
Scott Wright	cbec
Steve Zeug	Cramer Fish Sciences

Leimbach reviewed the meeting agenda and objectives.

Reorientation on Floodplains Reimagined Program

Barry O’Regan (O’Regan), KSN, oriented the Advisory Committee to status and timeline for the Floodplains Reimagined Program.

Concepts and Updates

- The Floodplains Reimagined program requested a grant extension from the grant funder, CA Natural Resources Agency, through December 2023. No issues are expected for approval.
- The Technical Team expects to complete the baseline modeling by the end of 2022.
 - The existing conditions numerical model will help forecast impacts of management changes on the system.
- The Program Team plans to work on identifying opportunities for technical assistance for landowners and water managers to explore and test extending the frequency and duration of shallow inundation to support juvenile salmon.
- The Salmon Ad Hoc Group will meet to finalize habitat suitability criteria and adjust based on sensitivity analysis.
- Finally, the Program Team will develop an implementation framework.

Natural Resources Conservation Service (NRCS) Rapid Watershed Assessment

Lewis Bair (Bair), RD 108, provided a brief background on the Floodplain Forward Coalition led by the Northern California Water Association (NCWA). Landowners, Non-Governmental Organizations (NGOs), state agencies, and federal agencies participate in the Coalition to reconnect fish with food and provide them a safe haven. The Coalition asked one of the participating federal agencies, the Department of Agriculture's NRCS, to conduct the Rapid Watershed Assessment. The objective of the Assessment was to evaluate the existing and potential types of floodplain practices and evaluate the financial value of those practices to the NRCS.

The objective of introducing the Assessment to the Floodplains Reimagined Advisory Committee is to share the list of existing and proposed practices and their estimated financial incentives.

Bair introduced Liz Colby (Colby), a member of the Rapid Watershed Assessment Team, who shared a presentation previously given to district conservationists. *For more detailed information, please refer to Colby's presentation slides.*

Colby shared the following information regarding the Assessment:

Assessment Process

- Objective: The NRCS was asked to determine which projects should receive funding and how much funding should be allocated to each project.
- Projects: There are 33 different project types within the Floodplain Forward Portfolio.
- The Assessment Team considered the following factors in the Assessment:
 - Existing watershed plans and landscape scale efforts
 - Current conditions, such as physical description, land use, and social justice considerations
 - Priority resource concerns
 - Program eligibility
 - Financial assistance estimates

Key Findings

- 18 out of 33 project types are eligible for NRCS programs and funding
 - Non-eligible projects include:
 - Projects still in conceptual stages;
 - Projects located on public land with no private leases available; and
 - Projects that have other restrictions inhibiting assistance from NRCS.
- NRCS could contribute \$1.8 million to these eligible projects
 - Eleven projects are potentially categorized into the Environmental Quality Incentives Program (EQIP)
 - Three projects are potentially categorized into the Watershed and Flood Prevention Operations Program (WFPO)

- Two projects are potentially easements
- Two projects are potentially Conservation Innovation Grants (CIG)
- Several of these projects would be funded in 3-10 years

Questions and Comments

- Will there be a boundary area involved? [Jim Wallace, Wallace Bros. Farms]
 - Yes, boundary area practices are available throughout the valley. [Colby, NRCS]
 - Studies look to have been conducted far north and south of [Wallace's] property below Knights Landing. Focused on the Sycamore area and some of the riparian projects make sense for [Wallace Bros. Farms]. Wonder if this is a possibility. [Wallace, Wallace Bros. Farms]
 - Yes, this would be potentially possible for your property. [Colby, NRCS]
- Note that each application round has a deadline, but NRCS is continuously accepting applications. [Colby, NRCS]
- Clarification that the unit costs are state-wide. There are variations between states, but it's an incentive that NRCS is able to provide regardless of project implementation cost. [Colby, NRCS]
- Acknowledgement that it is labor intensive to prepare for a potential project. Davis Ranch is developing a project with Groundwater Authority and providing opportunities for participation, but it requires significant time. They are mostly focused on recharge right now. The slough off the Sacramento River has great potential for restoration. [Wallace, Wallace Bros. Farms]
- From a system perspective, this exercise in working with the Floodplain Forward Coalition and NRCS was great for thinking about how we can bring about ecological power within the current framework. Many programs we're discussing value and incentivize the greater and longer residence time of waters. Lands not currently within the river boundaries could still have substantial and considerable impact on the aquatic system. Important to consider land management as an integrated program rather than just focusing on dramatic impacts to the river itself.

Risk Identification: Introduction and Breakout Sessions

Mark Cowan (Cowan), Larsen Wurzel & Associates, provided an introduction to the discussion of project-related risks and development of potential solutions.

Advisory Committee members were then split into various breakout sessions, each with its own sample scenario designed to prompt discussion. There was a total of three scenario categories:

- Land Management
- River Connections
- Floodplain Infrastructure

Land Management Prompt

Facilitator: Karis Johnston

Name	Risk	Solution
Andy Duffey	<ul style="list-style-type: none"> • Will the permitting agencies dictate what they can and cannot do on their properties. Some implications could include: <ul style="list-style-type: none"> ▪ Threat of arrest ▪ Loss of autonomy and decision making • Restrict farming capacity leading to loss of income 	<ul style="list-style-type: none"> • Safe Harbor agreements • Take coverage through Section 7 consultation. • Brian Ellrott: NMFS would create a more blanket, programmatic Section 7 that would apply to all landowners. That way each landowner will not need to have this mapped out per property.
Lewis Bair	<ul style="list-style-type: none"> • Damage to fields because of oversaturation / inundation of water • Too much water inundation leading to road washout or infrastructure damage. This would add cost for repairs and would need to be completed before the land could be utilized. This could also lead to a loss of the incentive payment due to not being able to meet program goals. 	<ul style="list-style-type: none"> • Updated roads, larger road paths • More robust infrastructure to accommodate and increase in flows. <ul style="list-style-type: none"> ▪ Checks running in direction to avoid wave wash ▪ Larger stop boxes that can handle larger amounts of water
Eric Nagy	<ul style="list-style-type: none"> • Timing most appropriate for agricultural production 	<ul style="list-style-type: none"> • Timelines on when agricultural productions need to be made aligned with program timeline requirements
Roger Swanson	<p>Butte Sink always has water present during wintertime. How do we make sure there isn't too much water if there is precipitation? If Moulton Weir becomes a major source of water for Floodplains Reimagined and Butte Sink gets inundated, we can't rid ourselves of water fast enough.</p> <ul style="list-style-type: none"> • Potential property damage with high waters above 10 ft. 	<ul style="list-style-type: none"> • Changing the starting conditions

Name	Risk	Solution
	<ul style="list-style-type: none"> • Hunting can't happen because of high waters • Land can't be used as intended 	
Brian Ellrott	<ul style="list-style-type: none"> • Adult and juvenile fish can get stranded • Predation issues • Timing and water temperature 	<ul style="list-style-type: none"> • Include a monitoring component to ensure fish don't get stranded • Determine to which level they are assessing the land, etc. • Conduct studies upfront, like tagging of juveniles, programmatic section 7, etc.

River Connections Prompt

Facilitator: Kayla Kelly-Slatten

Name	Risk	Solution
Hans Herkert	<ul style="list-style-type: none"> • Modification to a weir may result in reduced access to infrastructure such as roads due to flooding. • High flows may result in increased costs to landowners and delay the crop cycle for the coming growing season. 	<ul style="list-style-type: none"> • Assure modifications to weirs are not permanent and focus on designs that allow for constant adjustments so the water level can deepen in the weir rather than discharging into the floodplain. • Implement best management practices such as installing culverts on roads and regular road maintenance. • Identify the properties most at risk and define roles for proactively and reactively addressing flooding issues.
Mary Jimenez	<ul style="list-style-type: none"> • In response to access, it's important that weir operations/design does not inhibit the actions of first responders or jeopardize the safety of locals. • The ecosystem will undergo rapid and unforeseen changes due to climate change. • Cultural sites could be unearthed by water management practices. 	<ul style="list-style-type: none"> • The implementation of elevated walkways and roads • Implement an adaptive management process to support reactive interventions for water infrastructure and management. • Have partnerships in place to quickly respond in the event of new cultural sites being discovered.
Matt Brown	<ul style="list-style-type: none"> • Fish may become stranded if flows rapidly decrease. 	<ul style="list-style-type: none"> • Adequate gauging to support accurate monitoring of flows and an operable gate to control discharge • Clearly define roles and responsibilities for land and infrastructure maintenance.

Name	Risk	Solution
	<ul style="list-style-type: none"> • New stranding sites may develop as a product of sediment transport and deposition from scour. 	
Scott Wright	<ul style="list-style-type: none"> • Moulton Weir is particularly problematic with frequent flooding preventing access. • Flooding risk with flows moving onto land already inundated because of duck club land management. 	<ul style="list-style-type: none"> • Work with duck clubs to develop management plans for significant inflows onto land.
Mark Cowan	<ul style="list-style-type: none"> • Potential to drain financial and time resources on coordination across the region. 	<ul style="list-style-type: none"> • Coordinate early with stakeholders and share a thorough understanding of processes with landowner, LMAs, state and federal agencies.
Craig Fleming	<ul style="list-style-type: none"> • Decline of private property useability due to erosion. 	<ul style="list-style-type: none"> • Identify where the erosion is occurring and financially quantify its impact. Support landowners in addressing the cost of erosion.
Torey Byington	<ul style="list-style-type: none"> • Impact to restoration efforts already being implemented 	<ul style="list-style-type: none"> • Identify projects ahead of time that may be impacted and work with partners to reduce impacts. Create an adaptive management strategy.

Floodplain Infrastructure Prompt

Facilitator: Julie Leimbach

Name	Risk	Solution
Greg Krzys	<ul style="list-style-type: none"> • Operational concerns such as facilities maintenance costs, staffing, and other resources • Water rights scenarios 	<i>None provided</i>
Rodd Kelsey	<ul style="list-style-type: none"> • Ensuring Safe Harbor Agreements (SHAs) for endangered species 	<ul style="list-style-type: none"> • Establish more flexible water rights. • Examine the legal work and accounting practices upfront. • Move the agencies on making SHAs more transparent and system-wide.

Name	Risk	Solution
Jacob Katz	<ul style="list-style-type: none"> • Potential for water rights constraint, rather than if the right exists at all • Potential to lose sensitivity actions 	<ul style="list-style-type: none"> • Do not automatically assume there is a problem with water rights. • Identify where and when there might be a constraint. • Update infrastructure for greater flexibility and produce greater benefits with the same amount of water. • Incorporate simple population-level models.
Holly Dawley	<ul style="list-style-type: none"> • Storm water flow systems based on land elevation 	<ul style="list-style-type: none"> • Examine how areas typically flood. • Examine both ecological and hydrologic issues. • Alter the system for ecology benefits and ensure we're not detrimental in a flood situation.
Justin Fredrickson	<ul style="list-style-type: none"> • Risk for individual landowner and farming viability • Bureaucracy-related barriers 	<ul style="list-style-type: none"> • Perform a necessary shift from farming and flood control to putting fish and water on a landscape that's been traditionally farmed.
He-Lo Ramirez	<ul style="list-style-type: none"> • Risk to archaeological sites as a result of new construction along rivers and creeks 	<ul style="list-style-type: none"> • Appoint tribal representatives as onsite, cultural monitors during the construction phase.
Craig Isola	<ul style="list-style-type: none"> • Increases in flooding that damage private wetland infrastructure and easements for fish and migratory birds • Issue of landowner access in Yolo Bypass, leading to a disincentive to monitor ownership of property 	<ul style="list-style-type: none"> • Focus research on when and where the increase in water depth is happening. • Examine scenarios and systems that already function well, such as the Butte Sink.
Andy Duffey	<ul style="list-style-type: none"> • Placing burdens on irrigation companies to avoid impacting unwilling landowners 	<p><i>None provided</i></p>
Bjarni Serup	<ul style="list-style-type: none"> • Straying and stranding of adult fish that can be magnified by water management and/or addition of infrastructure 	<ul style="list-style-type: none"> • Consider the full ecological picture, not just the life stages of juvenile salmon. • Monitor water quality. • Simplify or avoid infrastructure if possible. • Consider impacts to waterfowl as a direct species impact rather than just an impact on recreation.

Name	Risk	Solution
	<ul style="list-style-type: none"> • Water quality: temperature, pesticides, methyl mercury • Complexity of management that increases unintended consequences • Impacts to wetlands waterfowl 	<ul style="list-style-type: none"> • USFWS, NMFS, CDFW have issued permits for Fremont Weir modifications that release individual landowners for liability of listed species deaths.

Report Out: All Groups

Breakout session facilitators provided an overview of each group’s list of perceived risks and potential solutions. Cowan requested that Advisory Committee members share with the Program Team any other risks that arise in discussions with neighbors, peers, and other stakeholders.

Schedule Update

The next Advisory Committee meeting is scheduled for Friday, February 10, 2023.

Adjourn

Leimbach thanked attendees and adjourned the meeting.