

Sacramento Valley Environmental Water Caucus

Notes from the October 11, 2003 Plenary meeting

DRAFT - October 18, 2003 by Kevin Wolf kevin@wolfandassociates.com

Attending: Lynn Barris, David Behar, Jim Brobeck, John Carlon, Steve Evans, Conner Everts, Dave Ford, Sharon Fritsch, Mike Jackson, Bill Jennings, Angela Kraemer, Tom Kraemer, Mel MacInnis, Kelly McDonald, John Merz, Jim Metropolis, David Nesmith, Laura Norlander, Chad Roberts, David Siedband, Barbara Vlamis, Eric Wesselman, Leah Wills, Kevin Wolf, Otis Wollan, Carol Wright, Dawit Zeleke (Did we miss anyone?)

Next Meetings:

1. Kelly McDonald, Lynn Barris and Kevin Wolf will set the next Steering Committee meeting.
2. The next Plenary Meeting should occur in March and should be finalized by the Steering Committee as far in advance as possible.

I. Organizational Issues

All the documents in this section can be found at http://www.svewc.org/about_html

A. SVEWC Mission and Mission Statement

1. The participants approved the five elements of the SVEWC mission.

The key changes included:

- a. Where: Rewritten as the entire Sacramento "River" Watershed
- b. What: Include *compatible* recreation and "land use"
- c. Who: Change "Organizations and individuals *committed to*" to *who support* preserving and restoring the region's environment."
- d. How: Include "scientifically-based research"
- e. Why: Include: "improved compatible recreational and land use resources"

2. There was an attempt to wordsmith the mission statement but it was not fully successful. In general people supported a short mission statement that everyone could memorize. It doesn't necessarily have to capture every point in the mission, but should express the major points. It can be link to the more detailed "mission" but many people will never read the details and will only read the mission statement. The final decision on the mission statement has been designated the Steering Committee to complete.

B. Organization Goals

1. The participants supported the proposed organizational goals. The goals were edited to include "compatible recreation and land use".

C. Conservation/Environmental Goals

1. The environmental goals from the March 8, 2003 Plenary Meeting were approved with a few clarifications.
2. The goal "Stabilize Population and Consumption of Resources" was changed to "Reduce Resource Consumption".

a. The draft language of the rewritten goal may need to be wordsmithed by the Steering Committee. It presently reads: "Per capita consumption of water-related resources is reduced to a level that sustains populations without wasting resources or harming the environment."

D. Principles

1. The participants quickly reached consensus support for six of the ten proposed principles without significant changes to their proposed wording. The other four were approved after debate and additional editing.
2. The "No Transference of Harm" principle was rewritten to provide more flexibility. It now reads "A project or program's redirected impacts to the environment shall be avoided, minimized or mitigated." The Steering Committee may improve this wording at future meetings.
3. The wording of the "Science" principle was improved. It may need further wordsmithing by the Steering Committee.
4. "Meet or Exceed Applicable Laws" was clarified to explain that cultural means Native American cultural heritage protection laws.
5. The "Least Cost First" was changed to be clearer about full accounting of externalities and cost when determining which options was the "least expensive". It may need further editing.

E. SVEWC Organizational Structure.

1. The participants unanimously approved the proposed organizational structure with minor editing but no significant changes to the meaning.
2. Kelly McDonald and Lynn Barris were elected SVEWC co-chairs.
3. The Executive Committee initially will consist of the co-chairs, Steve Evans, Jim Metropolis (as himself and not as a Sierra Club representative until approved by its organizational process), and Carol Wright or John Merz from SRPT.
4. The top priority for staffing is to hire a SVEWC coordinator. Kevin and Otis offered to continue helping as meeting facilitators but neither are able to take on the role of the coordinator.
 - a. The coordinator would be hired and supervised by the SVEWC but administratively paid for through a member organization as the SVEWC does not intend to obtain non-profit status.
 - b. Other staffing/consulting help that the SVEWC would benefit from includes an outreach and volunteer organizer, media and educational help, and legal assistance.
5. A fundraising committee will be developed by the Steering Committee. Otis and Kevin offered to help.

6. Meeting participants supported the proposed organizational structure with the following changes and clarifications:

- a. Affiliates will be officially recognized upon "written" request.
- b. Affiliates will be removed upon their request.
- c. Since the number of Steering Committee meetings is not set, the requirement to be in good standing as a Steering Committee member is 75% (not 3 out of 4).
- d. Decisions made by the Executive Committee will be evaluated/reviewed at the next Steering Committee meeting.

F. Campaign Priorities

1. Participants reached a 75% supermajority on all of the proposed campaigns and thus officially endorsed these campaigns.

- a. Stop the Sacramento Valley Water Raid
- b. Protect Groundwater Resources
- c. Develop public domain, watershed computer models.
- d. Dam Removal in the Sacramento Valley
- e. Make Information Public and Easily Accessible
- f. Stop Sites Reservoir

2. The top priority campaign was the "Stop the Sacramento Valley Water Raid". This includes the "Napa Agreement", South Delta Improvement Program, CVP Sacramento contract renewals, new surface storage facilities, the Sacramento Water Management Plan, the OCAP and Biological Opinion, and more.

3. The second highest number of priority votes was cast for the "Protect and Manage Valley Ground Water."

II. Stop the Sacramento Valley Water Raid

A. Overview

1. The background proposal (<http://www.svewc.org/campaigns.html>) provides background on the issue.
2. Mike, Kelly and Lynn will attempt to explain the issues and timelines in a 1-2 page paper with key opportunities for involvement.
3. TNC would like help understanding what science should be done to better understand the possible impacts of the components of the Napa Agreement and alternatives.
4. The environmental community needs to be clearer on its vision for the Valley, Delta and water use through out the state so that its environmental goals are met and California society has the water it needs.
5. Specific actions on the components of the "Raid" are detailed below.

B. Operational Criteria and Plan (OCAP) for the CVP

1. The OCAP sets the criteria for the US Bureau of Reclamation to redo the Biological Opinion for the Delta and eventually allow increased export pumping from the Delta. It is the foundation upon which the impacts of different "Napa Agreement" components will be analyzed.
2. A key issue in the OCAP is whether it will be able to be finalized without any environmental review. When the OCAP was last revised 20 years ago, it went through a NEPA/CEQA review. There are no plans by USBR to evaluate the environmental impacts of the new OCAP. Participants felt that because of the complexity and wide scale ramifications for species and habitat that a new OCAP will likely set off, it must be subject of a cumulative and comprehensive environmental review.
 - a. An environmental review will likely postpone for 2-3 years the OCAP and the project that need it to have their own NEPA/CEQA requirement met.
 - b. Given how little we know about the impacts to massive increases in groundwater and surface water exports from the Sacramento Valley and what their dependent habitat and species need, delay will allow time for some of the needed research to be done.
 - c. The environmental community needs time to clarify what it believes is needed for the environment in terms of stream flows and groundwater conditions. Right now, no is organizing a comprehensive assessment of these needs.
3. The SVEWC will help push the state and federal agencies to conduct a full environmental review of the OCAP. A letter will be drafted by Mike Jackson for editing and circulation to the federal and state agencies. (A version of the letter should be sent to DWR to bring in the State Water Project dams and export pumping operations and the State-Federal Coordinated Operating Agreement into the OCAP.)
4. The environmental community should collect and organize information about the OCAP and link this into a website. One of the key questions to answer is the role of the state/federal CALSIM computer modeling in OCAP and the problem with the CALSIM modeling. What should the environmental community's position be about CALSIM?
5. The SVEWC will talk with the EWC and others in the environmental community to work towards a united response to the OCAP in the next month or two.

C. CVP Contract Renewal

1. As many organizations and individuals as possible should comment on the pending EIR/S for the CVP Sacramento Contract Renewals as soon as it comes out. The SVEWC will help lead the outreach and organizing for this effort and will set up a web site to provide access to background information including the very informative letter from NRDC to USBR on the contract renewals.
 - a. Steve Evans is the lead person. Others who offered to help include: David B., Mike J., Lynn B., Chad R., and John M.
2. If any negotiations with the irrigation districts and/or the USBR occur, the SVEWC requests that NRDC, F.O.R., and other lead organizations invite an SVEWC representative to participate in the negotiating process.

3. The SVEWC and environmental organizations would do well to think through what they would like the renewed contracts to look like. This will help in providing a clear message to the public and in any negotiations. For example, would new contracts lead to:

- guaranteed channel-forming flood flows in the Sacramento River
- restoration of Stony Creek
- tributaries receiving more water through exchanges
- improvements to/elimination of the Red Bluff diversion dam
- other restoration activities

4. The environmental community should fully understand the reasoning and data that is going into the proposed contract renewals. The NRDC notes are an excellent start. Some issues include:

a. Will the contractors really have roughly 25% of their water allocation to sell without changing their crop evapotranspiration levels because these districts haven't traditionally used their full allotment and thus they will be violating the CVPIA requirement that water sold comes from real reductions in water consumption, not in the sale of water that the farmer and water districts never used or ran off their land and was used downstream?

b. What will contractors do with the excess water they receive. Will it be used to fill Sites Reservoir? Will it become part of a groundwater recharge and export management plan? Will they just sell the water and export it out of the watershed?

b. It would help to have a clear understanding of what the CVPIA Anadromous Fish Restoration Plan (AFRP) recommends in terms of water left in streams in the watershed. Most of these streams are not directly affected by contract renewals but have unmet flow needs. Mike Roberts from TNC may be able to help participate in the AFRP meetings for Battle, Mill, and Dear Creeks. Carol W and Eric W. expressed interest in helping with this as well.

c. Ideally there should be a one page summary of the issue and the actions that the SVEWC is taking on contract renewals.

d. The more the environmental community knows what it wants in terms of stream and river restoration flows and groundwater levels in the Sacramento Valley, the better it will be able to explain this to the public and to the proponents of exporting water from the basin. A watershed by watershed evaluation of what is needed to advance a restoration vision for each tributary to the Sacramento River will be valuable.

5. The SVEWC supports more science on the flow needs for the Sacramento River and its tributaries. For example, what level of high flows are needed to move sediment properly in the winter and spring? How low should the stream flows get in the summer? David Nesmith and Dawit will take the lead on this.

D. New Surface Storage in the Valley (e.g. Sites Reservoir, Shasta Dam Raise)

1. Though not prioritized as a focused campaign by the SVEWC plenary participants, the proposal for a west side off-stream storage reservoir and the proposal to increase the height of Shasta Dam are both part of the effort to extract and sell more water from the

Sacramento Valley to interests south of the Delta. Both proposals will lead to less channel forming flows being released into the Sacramento River and both could be part of an effort to extract more groundwater from the Valley.

2. Carol W., Eric W., Steve E., and Mike J. will take the lead on these proposals.

E. Phase 8 Process (also known as the Sacramento Water Management Plan)

1. The Phase 8 section of the old SWRCB Delta improvement process has converted into an integrated groundwater management and transfer plan known as the Sacramento Water Management Plan (SWMP). Phase 8 would have required that diverters from tributaries that provided flow to the Delta would have to return some flow to meet the Delta's inflow needs. The SWMP uses conjunctive management of groundwater as the means by which the upstream diverters can provide more flows to the Delta and get paid to do so.

2. Mike J, Lynn B. and Kelly M. will link this into the groundwater management work they will be doing and will help keep up on this.

F. Groundwater Management and Sales

1. Integral to the Phase 8 process is the management and sale of groundwater supplies. Counties are being encouraged to set up groundwater management plans that allow for conjunctive recharge, extraction and sale of this resource. Yet there is little quality information or computer modeling on how such plans will impact existing users of the groundwater, both in the short and long term.

2. Lynn B., Kelly M., Mike J., and Jim M., will lead on this.

G. Environmental Water Account (EWA)

1. When there are restrictions on export pumping from the Delta, the Environmental Water Account is supposed to make up for that "lost" water. The EWA has been running out of water and increasing numbers of endangered fish are being pumped south. As part of the Napa Agreement, the EWA would receive more water to reduce the number of times and the amount of fish that are harmed by the increased pumping that will occur with the Napa Agreement.

2. It is unknown at this time whether any of this additional EWA water be used to help streams in the Sacramento Valley.

3. Mike J. and Eric W. will take the lead on this.

H. South Delta Improvement Project (SDIP)

1. Increased export pumping under present conditions and infrastructure in the Delta causes many different biological and agricultural problems, especially in the South Delta. The SDIP would put in place permanent, operable tidal barriers at three locations in the south delta and one at the Head of Old River. The barriers would be open when the tide is coming in and would close when the tide goes out. In the process the delta area south of the barriers would have higher water levels which would allow for increased export pumping around the clock and would keep the channels fuller of water which will help the farmers who use it to pump irrigation water. The barrier at the Head of Old River

could be used to increase the flows that move down the lower San Joaquin River and through the Deep Water Ship Channel thus helping with the low dissolved oxygen problem that occurs there when flow dip low because of export pumping taking the SJR water south via Old River.

2. The SDIP also includes some recirculation proposals where water would return to the San Joaquin via the Newman Wasteway and increase flows down the river from upstream of the confluence with the Merced.

I. Trinity Flows

1. When/if the Record of Decision is implemented, in an average water year, around 300-400K acre feet of water will remain in the Trinity River and will not flow down the Sacramento on its way to the Delta and export to the Westlands Water District. Depending on the timing in which this water is not transported down the Sacramento, the change in flows could be positive or negative for the river. In any case, the SVEWC fully supports the Record of Decision being fully implemented.

2. The Sacramento Valley community of farmers, city dwellers and environmentalists should unite to retire selenium and salt laden land from the Westlands Water District and return that water to the public.

3. The Trinity issue is covered by Spreck Rosekrans (EDF), Tom Stokely (Trinity County), Tim McKay (NorthCoast Environmental Center), Byron Leydecker (Cal Trout) and Mike Orcutt (Hoopa Tribe). Chad R. expressed interest in helping as well and may be able to be a liaison on this issue.

J. Napa Agreement

1. All of the above elements play some role in the "Napa Agreement" that was recently drafted between the State and Federal water contractors, DWR and the USBR. It is designed to meet the CALFED goal of "all get better together". It could lead to an additional 1+ million acre feet more water being exported south each year from the Delta. This water will come from the Sacramento River watershed.

2. The SVEWC will request to the EWC that we have a representative or two in any environmental discussions with the exporters and CALFED about this integrated proposal.

3. A key strategy the SVEWC should pursue is the education of the public in the watershed of the dangers this package of agreements will likely have on the environment and groundwater supplies of the Sacramento Valley.

4. Mike J. and Eric W. will be leads on this.

K. Other Issues outside of the Sacramento Valley Water Raid Campaign

1. Water quality problems and possible solutions in the Sacramento River watershed are coming to a head through numerous state and federal activities, in large part promoted because of pressure from environmental organizations such as DeltaKeeper and CSPA. Water quality improvements can be gained with improvements in water use efficiency,

riparian set backs and corridors and other actions that have external environmental benefits.

- a. Bill J., Carol W., and Barbara V. will be the leads for the SVEWC in this arena.
2. Congressman Calvert's CALFED legislation
 - a. The SVEWC should oppose the Congressman Calvert's legislation to fund the studies of Sites Reservoir, increasing the height of Shasta Dam or some other action.
 - b. Eric W. and Mike J. will take the lead on this.

III. A Positive Vision for the Sacramento Valley and its Subwatersheds

Linked to the many problems that the SVEWC will attempt to address in its Stop the Sacramento Valley Water Raid campaign are positive actions and programs that could lead to significant environmental improvements throughout the watershed. These efforts will not be a priority for the SVEWC in the short term but will come to play in a wide variety of ways. Some of the positive opportunities mentioned include:

1. FERC Relicensing - talk with Laura Norlander of the California Hydropower Reform Coalition (e.g. FERC relicensing on Feather River dams, Butte Creek and many other tributaries)
2. Flood flows for restoration of the Sacramento River
3. The end of Ag Waivers and the advancement of TMDLs.
4. Upper watershed restoration,
5. Dam removal efforts
6. Growing body of research and sound science.
7. Riparian corridors and meander zones.
8. Endangered species recovery efforts
9. Public Trust doctrine returning flows to streams (e.g. Yuba River and the SWRCB decision)