

**Alameda Creek Fisheries Restoration Workgroup
Minutes of Meeting
July 30th, 2001
9:30 am
Alameda County Public Works Agency
951 Turner Court
Hayward, CA**

Attendees

Pete Alexander	EBRPD
Carrie Austin	RWQCB
Bill Bennett	DWR
Brenda Buxton	Coastal Conservancy
Eric Cartwright	ACWD
Erika Cleugh	CDF&G
Manny da Costa	ACFCWCD
Encanta Engleby	CALTRANS
Andy Gunther	CEMAR
Darryl Hayes	CH2MHill
Laura Kilgour	ACFCWCD
Jay Kinberger	U.S Army Corps
Mary Lim	Zone 7 Water
Josh Milstein	SF City Attorney's Office
Stuart Moock	PG&E
Peggy Olofson	RWQCB
Jim Reynolds	ACWD
Anna Roche	SFPUC
Steve Rothert	American Rivers
Carla Schulteis	ACFCWCD
Gary Stern	NMFS
Aileen Theile	EBRPD
Richard Wetzig	ACFCWCD
Vince Wong	Zone 7 Water

Agenda Item No.

1. Announcements

Laura announced that a web page could be added to the web site that includes a list of Work Group members, with an automatic e-mail link to listed individuals if that was acceptable. The sign up sheet included a column to indicate if attendees wanted their email addresses available via the web site. Andy added that a list of the Work Group members would help document the extensive collaboration that exists in the steelhead restoration effort.

Josh Milstein requested that an additional item be added to the agenda regarding Calaveras Reservoir, and this was substituted for the presentation from Mr. Robert Young of CALTRANS, who was unable to make the meeting.

2. Progress Updates

§1135 Project. Eric indicated that the Corps was making progress on the Preliminary Restoration Plan. He indicated that ACWD is willing to submit a letter of intent to the Corps verifying their interest in sharing the cost of the project and supporting the operation and maintenance of the facility that is eventually constructed. This letter will be included as an appendix to the plan. (see discussion of Corps funding opportunities below for more about the §1135 project).

SFPUC Dam Removal Josh reported that the SFPUC has adopted a budget that includes \$1.25 million for removal of Niles and Sunol Dams. The total cost is estimated at \$2.75 million, and possible other sources of funding include CALFED, CALTRANS, and the Coastal Conservancy. Bill Bennett indicated that with this significant contribution from a local agency prospects for obtaining matching funds from other sources was greatly enhanced. Brenda suggested that we still need to produce a plan that provides a cogent description of the timing of the various projects.

Fisheries Investigations. Josh reported that Tom Taylor's fisheries investigation is proceeding as planned, and appears to be collecting interesting information on run timing from the Calaveras and San Antonio watersheds. Gary Stern indicated that information such as this will be valuable for identifying an appropriate stock for run supplementation in the future. The SFPUC also has a consulting hydrologist (Dan Steiner) reviewing historical records of flows and releases in the watershed.

Flows Workshop. Richard Wetzig announced that the flows workshop will be held on September 13, 2001, at the Pleasanton Fairgrounds. The purpose of the workshop is to allow water agencies to educate others regarding the operations of dams and other water supply facilities in the watershed, and then to discuss how these operations might influence restoration and management of fish populations. Peggy Olofson distributed a draft agenda for the meeting, along with a table listing the various organizational and administrative tasks that need to be accomplished in support of the workshop. She indicated that they are looking for a speaker who can provide a perspective on development in the watershed. She indicated that the current plan is to provide invitations to the upper and lower Alameda Creek watershed groups that have been meeting regularly, the fisheries work group, and the Alameda Countywide Clean Water Program. Speakers will include representatives from ACWD, SFPUC, Zone 7, and biologists including Rob Leidy and Ann Riley. Steve Rothert suggested that a speaker be added from the CALFED Drinking Water program, and Vince Wong suggested that water retailers (such as the City Departments who buy water from Zone 7) also be invited to attend.

Peggy requested that Work Group members review the draft materials she distributed and get any comments to her. She also indicated that her goal is to publish a proceedings from the meeting, and is looking for approximately \$1,000 in financial support.

3. Restoration Plan Goals and Objectives

Andy introduced the draft goals and objectives he had distributed to all Work Group members. He indicated that he developed goals and objectives for the Work Group as a whole in addition to goals and objectives for the Restoration Plan for two reasons. First, the information he received from Work Group members was a mixture of broad statements (suitable as Work Group goals) and more focused comments that could serve as objectives for the Restoration Plan. Second, presentation of goals and objectives for the Work Group will provide an important context for potential funding agencies. He stated that the Work Group goals and objectives document the

fact that we have diverse stakeholders working together toward a common purpose, as evidenced by the fact that we have already achieved many of the draft objectives.

He also included a set of "Guiding Principles" for the Work Group to consider. The purpose of these principles is to describe some basic ground rules for how Work Group members plan to go about their work. He suggested that such principles would serve the Work Group well in the future when contentious issues arise, in addition to demonstrating a recognition of and commitment to a joint process for planning and restoration.

There was then open discussion of the draft goals and objectives. Josh Milstein inquired as to whether the plan was to be the subject of a Programmatic EIS as has been mentioned previously. There was general consensus that we cannot answer that question until a draft of the plan is available, as some projects (such as dam removals) will not require the same level of programmatic review as operational changes at existing facilities or installation of new facilities. Vince Wong suggested that identification of a strategy for CEQA/NEPA compliance be included as a Work Group objective prior to the objective to implement the restoration plan.

Josh suggested that both the quality and quantity of water required for restoration be considered in the guiding principle that mentions "water cost," and Steve Rotherth suggested that this principle also include the goal of minimizing the financial cost of restoration. Josh also suggested that a guiding principle should be added that indicates that steelhead restoration should not proceed at the expense of other native fishes, and that principle #7 reflect the need for conservation easements and other legal constructs to assist private landowners (Josh agreed to suggest language). Steve suggested that private funding sources be included in principle #6, and Vince suggested a final Work Group goal to reconsider management actions based upon the results of monitoring. It was agreed that all Work Group members would consider the draft material further and provide any with suggestions via e-mail to Andy, and he would prepare a second draft of goals, objectives, and guiding principles for the next meeting. It is hoped that this revised set of goals and objectives could be "adopted" by the Work Group for inclusion in a draft restoration plan.

Andy also indicated that the Flood Control District has made \$8,000 available from the CCSRP grant for developing a draft restoration plan. While this will allow a draft document to be developed at a "scoping" level, Andy indicated that he thought it was unlikely that all the draft objectives for the Restoration Plan could be met with this funding. He encouraged all members to consider how additional funds, or in-kind services, could be made available to complete a more detailed version of the Plan.

4. Press Packet for Swim Dam Demolition

Pete Alexander indicated that the public relations event to kick-off the demolition of the swim dams is scheduled for 11am - 1pm on August 17th. Mary Nichols, Secretary of Resources for the State of California, is scheduled to attend. The EBRPD Public Relations Department has prepared an invitation, and Pete asked that key agency officials plan to attend to speak. Andy suggested that attendance by senior management personnel who could speak on behalf of their agencies to the press would be valuable.

Discussion then turned to what to include in the press packet. It was agreed that the Work Group would provide (1) the Executive Summary of the Assessment Report, (2) the map of barriers from the report, along with the table that describes them, (3) a roster of press contacts for various agencies and organizations, (4) the goal statement of the Work Group from the draft goals and objectives. Andy also agreed to pull together these materials together and deliver them to the

EBRPD public relations staff. Laura suggested a summary of the Work Group's accomplishments-to-date be included. Andy agreed to draft such a summary for review by a subcommittee of Pete, Stuart, Laura, Eric, Steve, Bill, and Josh.

5. Calaveras Dam Operations

Josh Milstein announced that the Division of Dam Safety of DWR has required that the City draw Calaveras Reservoir down to 30% capacity by Nov 1 due to possible instabilities in an earthquake. Josh indicated the City will try to use this requirement as an opportunity to study hydrologic issues in the watershed, especially conveyance losses in Sunol valley under various flow regimes. This would require alteration of the release valve of the dam, which currently will release 700 cfs when opened, to allow it to release smaller quantities of water.

Investigations of the dam's stability are underway. It is possible that the dam will need to be replaced. An alternate location is available that would impound more water with relatively little additional inundation, and this could provide significant amount of water for restoration. Josh indicated that a larger dam, by allowing more water from Arroyo Hondo to be captured, could possibly allow the City to eliminate the Alameda Creek Diversion Dam.

The lowering of the Reservoir also has implications for flood control. It appears that the dam will be passing a significant percentage of surface flows from the Calaveras watershed this winter in order to maintain the 30% capacity requirement.

6. Restoration Funding Opportunities with the U.S. Army Corps

Jay Kinberger of the U.S. Army Corps of Engineers then provided the Work Group with an overview restoration funding opportunities with the Corps of Engineers (including two handouts). He explained that the Corps has two major programs, the General Investigation (GI) program and the Continuing Authorities Program (CAP). The GI program is for relatively large projects, and a specific appropriation from Congress is required to have a project funded under this program. The CAP program is for relatively small projects, and has two components, the §1135 program and the §206 program. The §1135 program is for modifications to existing Corps projects, and needs a public agency as a cost-sharing partner (this can be cash or in-kind services). The §206 program can be in any aquatic system that requires restoration, and can have an NGO as a partner. Jay indicated that it is possible for §206 funding and §1135 funding to be used in the same watershed for different projects.

Eric asked Jay about the competition among §1135 projects. Jay indicated that once the Corps initiates a PRP, the chance of project funding is very good. However, the question is when (in what fiscal year) the funding will become available. He indicated that an active interest from Congress and others can improve a project's chance of obtaining funding sooner. He also said that normally the Corps works with only one local sponsor, and requesting that the Corps work with two could delay a project. Eric and Laura indicated that ACWD and the Flood Control District were aware of this issue. Because the County has a policy against signing Letters of Intent they have agreed that if necessary the ACWD will serve as the single local sponsor. In this instance, the Flood Control District still intends to provide some funding for the facilities, but this will occur as part of a side agreement with ACWD rather than in direct partnership with the Corps. (Subsequent to the meeting, County Counsel advised Laura to submit a letter of intent to the Corps on behalf of the Flood Control District to become the local sponsoring agency. The exception to the policy will be made because the proposed project is completely within Flood Control property boundaries and only by submitting a letter of intent can the County become the official local sponsor.)

Jay also indicated that he hoped the draft PRP for the Alameda Creek project will be finished in August. This draft will be subject to internal review, and review by the local sponsor.

7. Update on PG&E Gas Line Crossing

Stuart stated that George Heise of CDF&G and Gary Stern of NMFS met at the gas line crossing with the contractor who constructed this facility to identify alternatives for making this site passable to steelhead. Four alternatives were identified: (1) constructing a set of step pools into the face of the concrete mat (Heise though this might have problems related to maintenance and providing satisfactory attraction flows); (2) adding addition mats across a much longer stretch of the creek to create something of an artificial channel with pools (this alternative could be combined with efforts to reduce conveyance losses across this stretch of the Sunol Valley); (3) drill a bore under the creek for the pipeline (this could result in downcutting that might damage upstream bridge pylons); and (4) build a fish ladder. Stuart indicated that he is in the process of getting approval to have Darryl Hayes of CH2MHill develop a preliminary design for a fish ladder. Stuart also indicated that PG&E is not interested in an aerial span due to the exposure of the pipeline to the potential of vandalism. The next steps will be to clarify these alternatives, and consider the land use, right-of-way, and permitting issues associated with each.

8. Agreements / Action Items

- 1) Work Group members will provide comments to Peggy Olofson on the draft agenda and planning document for the flows workshop;
- 2) Work Group members will provide comments to Andy Gunther regarding the draft goals and objectives, and Andy will distribute a revised version for the next Work Group meeting;
- 3) Andy will deliver materials to the EBRPD public relations office for the press packet to be used at the swim dam demolition ceremony. Andy will draft a summary of Work Group accomplishments for review by a subcommittee.
- 4) Work Group members will provide the press contacts for their organizations for inclusion in the press packet.

10. Items for Next Meeting

The next meeting of the Work Group will be on Wednesday, September 19, and 9:30 am at the ACFCWCD offices in Hayward. Items for the next meeting include a review of the flows workshop and discussion of next steps, an update from Josh regarding plans for water releases from Calaveras reservoir, review of the swim dam removal ceremony, and presentations of fisheries studies from Tom Taylor and Jeff Hagar.