

**AGENDA ITEM #16**  
September 10, 2004

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Liberty Island: Strategies for Ownership and Management  
*(For Commission Discussion and Possible Action)*

**STAFF RECOMMENDATION:**

- **Review staff report**
- **Discuss ownership and management options**
- **If appropriate, identify a preferred ownership and management option and direct staff to send a letter of support**

**BACKGROUND:**

Liberty Island, Reclamation District 2093, is located within the Yolo Bypass and is subject to a flood easement held by the State of California. The 4,760 acre island is located within Yolo and Solano Counties.

A portion of Liberty Island was purchased with CALFED ecosystem restoration grant funds in 1999. The funds were originally granted to U.S. Fish and Wildlife Service and were slated for lands to be included in the proposed North Delta National Wildlife Refuge. Due to delays in adopting a boundary for the proposed Refuge, the funds were transferred to Trust for Public Lands (TPL) who currently holds title to the site. The levees have not been maintained and most of the Island has been underwater since shortly after the purchase.

*Update: The North Delta National Wildlife Refuge is still a pending proposal; no final decision has been made about refuge boundaries.*

In May 2002, the Commission took a position on HR 3554 (Ose) that two federally-owned islands in the lower Yolo Bypass, Little Holland Tract and Prospect Island, would be more appropriately owned and managed by a State Agency than a federal agency. The Commission suggested that "State ownership would facilitate and allow more direct communication of issues of concern to the community and neighboring landowners than ownership by federal agencies."

*Update: The bill did not pass through committee.*

In May 2003, Jeff Hart briefed the Commission on the proposed formation of a new nonprofit entity with interest in owning and/or managing lands in the Primary Zone, such as Liberty Island. *Update: No new nonprofit has been created; several exploratory meetings have been held.*

**CALFED ECOSYSTEM RESTORATION GOALS FOR NORTH DELTA:**

The CALFED Ecosystem Restoration Program Plan (July 2000) states:

"provide a large, contiguous habitat corridor connecting the mosaic of tidal marsh, seasonal floodplain, riparian and perennial grassland habitats in the Yolo Bypass, Cache Slough Complex, Jepson Prairie Preserve, Prospect Island, Little Holland Tract, Liberty Island, and Steamboat Slough...The sloughs would drain into extensive marsh-slough complexes developed in shallow islands (i.e. Liberty, Little Holland, and Prospect) at the lower end of the bypass." (page 85-6).

*Update: Department of Fish and Game is preparing a Delta Regional Ecosystem Restoration Implementation Plan; that plan is due to be completed at the end of 2005.*

**MANAGEMENT:** Liberty Island is owned and managed by Trust for Public Lands (TPL). TPL is a nonprofit entity whose primary role is to aid in acquisition of lands; TPL does not undertake long term management of lands.

*Update: Due to lack of staff and funding TPL has no on-site presence.*

**SCIENTIFIC RESEARCH:** Funds from the CALFED grant are being used to monitor Liberty Island. Monitoring is performed by Department of Water Resources and US Fish and Wildlife Service. Monitoring is being performed by Department of Fish and Game, Department of Water Resources, and U.S. Fish and Wildlife personnel. Fish sampling started in Summer 2002; a draft, sample chart is attached to this staff report.

**OWNERSHIP AND MANAGEMENT OPTIONS:**

1. Continued ownership and management by TPL: *Not an option for TPL.*
2. Ownership and management by U.S. Fish and Wildlife Service: *Dependent upon approval of a boundary for proposed refuge.*
3. Ownership and management by State agency--Department of Fish and Game: *Dependent upon funding for required studies, permits, and staff.*
4. Ownership and management by State agency--Department of Fish and Game; Management could be conducted cooperatively through partnerships. Management partners could include Sacramento Area Flood Control Agency, nonprofit groups, other State and/or federal agencies, or a combination thereof: *Dependent upon funding for required studies and permits; dependent upon participation of appropriate nonprofit entity(ies).*

**DRAFT**

Numbers of Fish Collected with each Trap Type

March 2003 to February 2004

Organism ( <b>Native</b> )	Minnow traps	collapsible traps	fyke traps
American shad	1		70
Black bullhead			8
Black crappie			51
Brown bullhead			1
Carp			4
Channel catfish			2
Chameleon goby	1		
<b>Chinook salmon</b>			4
<b>Delta smelt</b>	1		29
Fathead minnow			3
Goldfish			2
Golden shiner			9
<b>Hitch</b>			1
Largemouth bass			2
Bigscale longperch	7		3
Mosquito fish	2		19
Inland silverside	13		1925
<b>Prickly sculpin</b>	46		21
<b>Pacific staghorn sculpin</b>	2		4
<b>Sacramento pike minnow</b>	2	1	1
<b>Sacramento sucker</b>			2
<b>Sacramento blackfish</b>			1
Shimofuri goby	569	11	45
Striped bass	11	1	21
Threadfin shad	8		754
<b>Tule perch</b>	2		3
<b>Threespine stickleback</b>	374		101
Warmouth	1		
Wakasagi			4
White catfish		23	79
White crappie	1		4
Yellowfin goby	55	3	106
TOTAL FISH / TRAP	1096	39	3279
TOTAL FISH	4414	Natives: 595	

Source: Draft Report by US Fish and Wildlife Staff, 2004

**AGENDA ITEM #**  
July 12, 2002

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Response to Commission Regarding Flooding of Islands within  
Yolo Bypass  
*(For Commission Information Only)*

**BACKGROUND:**

At the March and May meetings, Commissioners asked for information about issues associated with flooding of islands within the Yolo Bypass.

- Prospect Island (1,228 acres): There is an approved project which will reintroduce tidal action to Prospect Island. That Island is located east of the current floodwater flow area, although it was part of the original Yolo Bypass and is subject to a flood easement held by the State. The site was purchased by the Bureau of Reclamation in 1995.
- Little Holland Tract (1,640 acres): The levees on Little Holland Tract flood in the mid-1980's. The land changed hands, and the new owners started to rebuild the levees without Corps permits. The work was stopped as permits were sought. Eventually, permits were denied. In 1999, the Army Corps purchased the Tract.
- Liberty Island (4,760 acres): Liberty Island was purchased with CALFED funds in 1999. The funds were originally granted to U.S. Fish and Wildlife Service and were slated for inclusion in the proposed North Delta National Wildlife Refuge. Due to delays in adopting a boundary for the proposed Refuge, the funds were transferred to Trust for Public Lands who currently holds title to the site. The levees have not been maintained, and most of the Island has been underwater since shortly after the purchase.

**RESPONSE BY RECLAMATION BOARD STAFF:**

The Reclamation Board oversees the Yolo Bypass to ensure the capacity of the Federal Flood Control Project. Issues of concern are: growth of substantial riparian vegetation that could impact carrying capacity of the Yolo Bypass; height of levees to ensure floodwater can pass through the Bypass, or possible stress of the Project levees.

If any of these situations were observed, the Reclamation Board would require the landowner to prepare an analysis of the impacts to the Federal Flood Control Project and an evaluation of proposed alternative measures to mitigate the impacts.

The Reclamation Board staff has visited Liberty Island and at this time has not observed any evidence of vegetation growth, impacts to the flood capacity of the Yolo Bypass, or levee deterioration that would necessitate preparation of a study by the landowners.

The Reclamation Board has requested funding (\$635,000) from CALFED to model changes in the Yolo Bypass that could impact its floodwater carrying capacity. CALFED has indicated they will consider funding the proposed project as a directed action; that means the application can be modified this summer to address concerns and/or criticisms raised by CALFED staff.