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Agenda Item No. 8
Informational Correspondence

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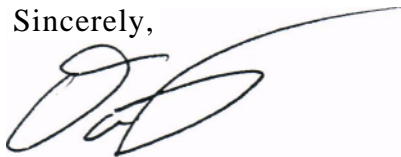
Dear Lower Yolo Bypass Stakeholder,

On behalf of the Center for Collaborative Policy (CCP), I am pleased to finally provide to you the enclosed document, *The Lower Yolo Bypass Stakeholder Process Feasibility Assessment (Assessment)*.

The Assessment presents a comprehensive review of the results from our assessment process earlier this year. Based on interviews with 45 diverse stakeholders, CCP has recommended that a collaborative stakeholder process is highly feasible and warranted to address long-standing problems and opportunities in the Lower Bypass. The report recommends the geographic area to be included in this effort, the likely participants, and a number of detailed steps to initiate and carry out such a stakeholder process. It also identifies several unique issues that will need to be addressed, and a few guiding principles that will likely be important to ensure immediate success and durability of such a process.

In closing, I thank you for your time and consideration in the interview you participated in. Opinions and ideas about the Lower Bypass are diverse but in most cases, appear to be mutually compatible if stakeholders have an equal and appropriate venue to address and resolve their differences. In the coming months, we hope that you will be notified that the initial steps for the proposed process are being convened. If you have any questions or comments, please contact me at (916) 341-3336 or at dceppos@ccp.csus.edu.

Sincerely,



Dave Ceppos
Senior Mediator / Program Manager
Center for Collaborative Policy

THE LOWER YOLO BYPASS

Stakeholder Process Feasibility Assessment

Prepared For

**The Yolo Basin
Foundation**

and

**CALFED Ecosystem
Restoration Program**



Prepared By:
The Center for Collaborative Policy
A joint program of
California State University, Sacramento
and
University of the Pacific
McGeorge School of Law

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Feasibility Assessment Recommendation

The Center for Collaborative Policy (CCP) recommends that a collaborative stakeholder process be convened to address Lower Yolo Bypass (Lower Bypass) conditions. The process should be sponsored by the Yolo Basin Foundation (Foundation), potentially with co-sponsor support from the Delta Protection Commission. CCP recommends that the intended outcome of the collaborative process should be a comprehensive set of management recommendations for the Lower Bypass, prepared in a consensus process, that include the following specific elements:

- Guiding principles and agreements for multi-party management of the Lower Bypass
- Mutually beneficial actions with proposed implementation timelines
- Preliminary technical analysis to support proposed actions, and
- Preliminary regulatory strategies required to implement different actions

CCP has found that almost all conditions for feasibility support this conclusion. There are some key constraints regarding available resources and spokespersons that will need to be resolved, but they do not appear insurmountable.

Background

The Lower Bypass is the most downstream portion of the Yolo Bypass, a leveed 59,000 acre floodway located west of the lower Sacramento River and within Yolo and Solano Counties. The Bypass was built between 1917 and the mid 1930s.

Sacramento River Flood Control Project (FCP) and carries the cumulative high flows from several northern California waterways to the Sacramento-San Joaquin River Delta (Delta).

Purpose of Assessment

Several islands that are largely under public and quasi-public ownership in the Lower Bypass have been flooded since 1997. Other islands have been neglected and are not being actively managed. These flooded and non-flooded areas include rapidly growing habitat areas and levee degradation. Previous agricultural and other infrastructure is inundated or severely impacted. Agricultural land management has been rendered infeasible. Private land owners on these islands and lands adjacent to these islands have been

impacted by these conditions. CCP proposed to the Foundation that an Assessment be conducted to determine whether a stakeholder-based process could help create solutions to the conditions in the Lower Bypass. The Foundation elevated this proposal to the CALFED Ecosystem Restoration Program, Contract Amendments Subcommittee which approved the proposal in late Summer 2004.

Description of Assessment Process

This assessment considers whether sufficient resources and conditions exist in the Lower Bypass for implementation of a stakeholder process, and if so, what the most appropriate process is to resolve existing social, physical, and political issues in the Lower Bypass. Nearly 50 individuals were invited to participate in assessment interviews; 45 ultimately participated. Interviews were conducted by CCP staff from February through May 2005.

Assessment Findings

Description of the Lower Yolo Bypass

Participants describe the Lower Bypass in a geographic context. However, several participants also describe the Lower Bypass:

- functions (e.g. flood management, ecological),
- land use (e.g. agriculture, managed habitat), and
- social / political perspective (e.g. responsible parties, affected stakeholders)

Importance and Implications of Current Conditions

Participants identified land ownership / land management conditions, and the physical results of those conditions. These include:

- Public Land Ownership
- Public Use
- Emergency Services
- Flood Management
- Habitat Conditions
- Water Quality

An overwhelming majority of participants said that the conditions listed above are interconnected and:

- Should be addressed in a more comprehensive and integrated way
- Will primarily lead to very negative implications if they are not addressed in a comprehensive and integrated way.

Actions and Impacts in the Lower Yolo Bypass

Many participants have not taken any direct action to address Lower Bypass conditions. Participants that have taken action have focused on their individual interests and needs, rather than working with other stakeholders to identify communal problems and solutions.

Impacts of Conditions in the Lower Bypass

There is an almost unanimous opinion that other stakeholders will be negatively impacted by current and future conditions. Participants can not specifically describe how those impacts will occur. Almost all responses are based on assumptions and intuition.

Responsibilities of Stakeholders in the Lower Yolo Bypass

Most participants named many responsible stakeholders and did not "single out" a specific party.

Preferred Stakeholder Actions

A majority of participants said that responsible agencies should be sponsoring and organizing more comprehensive discussions between all affected stakeholders.

Stakeholder Process Feasibility

All but one interview participant believes that a stakeholder process is warranted and feasible.

Organizing the Process

Most participants believe the Foundation and the Yolo Bypass Working Group should organize or have some part in organizing a stakeholder effort.

Potential Stakeholders

The following stakeholders were most recommended to participate:

USFWS	USER	USACE
DFG	CALFED	SAFCA
DWR	DPC	Hunting clubs
TPL	All adjacent RDs	Agricultural land owners
Port of Sacramento	Yolo County	Ryer Island

City of Rio Vista	Solano County	land owners
Prospect Island land owners	Hastings Tract land owners	Little Hastings Tract land
Flood control representatives	Upper Sacramento River system representatives	Ecological / habitat specialists

Structure of Participation

Participants believe that everyone needs to be equal in a stakeholder effort. They also believe that the process should be consensus-based. Many acknowledged that all stakeholders may not be equal when it comes to implementing future recommendations, and that agency decision-makers and funding organizations need to be actively involved in all aspects of a process.

Potential Outcomes

The preferred outcome from most participants is a "management plan" for the Lower Bypass area.

Process Duration

A slight majority of participants acknowledge that a multi stakeholder process might take approximately two years.

Assessment Analysis

Geographic Scope

Flood management and the affects of adjacent public lands are the primary factors influencing geographic descriptions of the Lower Yolo Bypass. Private land owners and local governments and organizations do not want to be "left out" of any discussions about Lower Bypass issues and given a choice of inclusion or exclusion, these parties support a broad rather than narrow geographic description of the Lower Bypass.

Implications of Current Conditions

Almost every participant believes that:

- The Lower Bypass needs some type of comprehensive management approach developed by a cross section of public and private stakeholders.
- Current conditions in the Lower Bypass are not sustainable and pose imminent risks to a variety of stakeholders in a variety of conditions.
- There has been no effective opportunity for stakeholders to come together in a working environment to jointly address their differences.
- Recent public efforts related to the NDNWR were not effective ways to involve the wide range of stakeholders related to the Lower Bypass; there are better ways to do so.

Participants do not uniformly agree on the many issues affecting the management of the Lower Bypass however participants are closer to agreement on many topics than they may believe they are. Most of the differences can be solved by jointly accessing technical information and working with each other and technical specialists

Factors that have most negatively influenced stakeholder relationships are a lack of:

- Trust
- Respect
- Understanding of Roles and Responsibilities (discussed further below), and
- Understanding of the Physical System.

Roles and Responsibilities

There is a general lack of understanding about stakeholder roles and responsibilities in the Lower Bypass. This lack of understanding includes not only generally expected uncertainties between public and private parties, but also extends to uncertainties between agencies.

The Lower Bypass has fallen in between the "responsibility cracks" of several organizations. No single organization is responsible for Lower Bypass conditions. Physical and land use conditions have changed recently. However, private and public stakeholders were not prepared to similarly adjust because they have not resolved philosophical differences about what the Lower Bypass should and could be.

Preferred Actions to Address Current Conditions

Solutions proposed by interview participants have merit but reflect little cohesion or a collective strategic approach. They need to be coordinated and prioritized in a way that reflects collaborative partnership, coordinated strategic planning, and tactical intent.

Appendix A

Invited Assessment Interview Participants

First Name	Last Name	Title	Stakeholder / Organization
Margit	Aramburu	Executive Director	Delta Protection Commission
Page	Baldwin, Jr.	Manager	Reclamation District 536*
Paul	Bowers	Project Manager	U.S. Army Corps of Engineers
Mark	Bovd	Manager	Reclamation District 2060
Steve	Bradley	Chief Engineer	State Reclamation Board
Dave	Brown	Manager	Sacramento Yolo Mosquito Vector Control District
Brad	Burkholder	Environmental Scientist	Department of Fish and Game - Region 2
Marci	Coglianesse	Former Mayor	City of Rio Vista
Rose	Conroy	Fire Chief	City of Davis Fire Department
Gilbert	Cosio	Principal	Reclamation District 2084 / MBK Engineers
John	Currey	District Manager	Dixon Resource Conservation District
Clifford	DeTar	Land Owner	Little Hastings Tract
Dave	Feliz	Area Manager	Department of Fish and Game - Yolo Bypass Wildlife Area
Linda	Fiack	Resources Manager	Yolo County
Greg	Greene	Regional Biologist	Ducks Unlimited*
Sergio	Guillen	Levee Program Coordinator	California Bay Delta Authority
Neal	Hamilton	President	Reclamation District 501
Mike	Hardesty	Manager	Reclamation District 2068
Jeff	Hart	President	Hart Restoration
Tom	Harvey	Refuge Manager	US Fish and Wildlife Service, Stone Lakes National Wildlife Refuge
Lauren	Hastings	Delta Coordinator	California Bay Delta Authority
Mark	Henelly	Deputy Director of Government Affairs	California Waterfowl Association
Tom	Hester	Land Owner	Ryer Island

*Indicates that the individual declined to participate in an interview

First Name	Last Name	Title	Stakeholder / Organization
Butch	Hodgkins	Former Executive Director	Sacramento Area Flood Control Agency
Jeff	Kerry	Land Owner	Liberty Island Land Owner
Dennis	Kilkenny	Land Owner	Lower Bypass Land Owner / Dawson's Duck Club
Robin	Kulakow	Executive Director	Yolo Basin Foundation
Lee	Laurence	Project Manager	Reclamation District 1667 (Prospect Island) /U.S. Bureau of
Randy	Mager	Staff Environmental Scientist	Department of Water Resources, Environmental Services
Nelson	Matthews	Program Coordinator	The Trust for Public Land
Duncan	McCormack	Land Owner	Yolo Ranch
Selby	Mohr	Land Owner	Mound Farms
Tom	Moore	Bay Delta Cluster Biologist	National Resources Conservation Service
Sally	Negroni	Soil Conservationist	National Resources Conservation Service
David	Okita	General Manager	Solano County Water Agency
Floyd	Pedersen	Land Owner	Egbert Tract
Pete	Rabbon	General Manager	State Reclamation Board
Fritz	Reid	Conservation Planning Mgr.	Ducks Unlimited*
Chadd	Santerre	Senior Biologist	California Waterfowl Association.
Tom	Scheeler	Director of Engineering	Port of Sacramento
Greg	Schmid	President	Reclamation District 2098
Topper	van Loben Sels	Land Owner	Ryer Island
Eric	Vink	Great Central Valley Program	The Trust for Public Land
Eric	Warnken	President	Solano County Farm Bureau
Bob	Webber	Manager	Reclamation District 999
Phillip	West	Land Owner	Liberty Island Land Owner*
Jack	Williams	President	Egbert Tract / Jack Williams Ranches
Diane	Windham	Recovery Coordinator	National Marine Fisheries Service*

*Indicates that the individual declined to participate in an interview