

Supplement to the Minutes of January 20, 2008:
A Fitch Mountain Community Conversation about the Del Rio Dam

[The tape recorder was not working, so the following speakers' remarks are farther from word-for-word transcriptions than usual. The order of questions has been rearranged slightly to group similar topics together.]

Opening Remarks:

Don King (K): The Del Rio Recreation District received many comments after serving notice of the negative Mitigated Impact Report (MIR) document relative to the dam. Forty-five responses were positive; only a few were negative. The officers of the Fitch Mountain Association asked that the comment period be extended to the end of January, which the Del Rio board was happy to do. The board did have a meeting in December, at which they learned that they will have to do some modifications, as per the Department of Fish and Game [F&G]. The timing of the next filing is unknown at this point. They hope to go forward with construction of the dam in 2009. The major concern about the previous dam was the sediment disturbance for 6 to 8 hours after its removal at the end of the season. Thus, the Del Rio board came up with a new design to be environmentally correct.

Dan Wilson (W): He is F&G's lead regulatory biologist for Sonoma County. He sent the Del Rio board a letter in December as a follow-up to the posting of the MIR and has met with King and other board members and the project engineers. They have dealt with some issues. His responsibility is to work with the recreation district to make the public aware of issues and to mitigate them if the project is approved.

Questions and Answers:

Q: What role will the National Marine Fisheries [NMF] play in licensing the dam? A (W): The Army Corps of Engineers has to certify the project because it involves fill in a navigable river. The Corps coordinates with NMF, which is responsible for endangered species protection enforcement, as far as a "take statement" of three species of salmonids, with mitigation suggestions.

There were several questions about cost. A (K): We're not sure of the final cost until it goes out to bid. It's estimated to be about \$900,000, plus \$60,000-\$70,000 for preliminaries such as an EIR. Less than \$60,000 has been spent so far. The district has \$500,000 and is seeking other funds, such as from the state. It could be built in two phases, Phase 1 being the river bed side and Phase 2 being the beach side, with the same kind of berm as now until both are completed.

Q: How difficult is it going to be to meet the requirements/concerns of F&G? A (W): F&G's concerns about this project include erosion control, fish passage, and impacts on riparian vegetation. Some of these concerns have been clarified or alleviated in meetings since the posting of the MIR. There are possible impacts both upstream and downstream of the dam site. The unavoidable impact on vegetation on gravel is still a major problem that needs mitigation or compensation. Willows have established themselves on the gravel bar. The MIR didn't disclose how much vegetation has established since 2002, without the dam. Summer dams do inhibit natural processes. Floods and rising waters do their work whether there is a dam or not.

Q: Are there concerns about endangered species? A (W): No land animals in the area are listed as endangered, but we need to consider nesting birds, egrets, hawks, etc., that need a healthy riparian corridor. Coastal chinook salmon, central coast coho (endangered) and steelhead are concerns. We'll need to investigate water quality upstream, as the dam might increase water temperature, which favors exotic predators like small-mouth bass and is a danger to salmonids.

Q: Are coho and Chinook native? A: Yes [from audience an audible "No"], but that's another debate....

Q: How do riparian problems with the dam compare with those of gravel mining? A: It's an apples to oranges comparison—gravel mining has much bigger impacts.

Q: How can you prevent the rush of scum and debris when the dam is taken out? And what about scour pools? A: Turbidity mitigation would require imported, clean gravel, not the alluvial material on the gravel bar. Engineers are still working on how to assess the level of significance of scour pools, and how to mitigate them.

Q: It seems as if the Water Quality Control Board is the main impediment to the dam. What can be done to get beyond this? A (K): That board, part of the Sonoma County Water Agency, is not a big stumbling block, although it stopped the dam in 2005. I believe modifications to the document will satisfy them.

Q: What would trigger an EIR? A (W): The requirements of the California Environmental Quality Act (CEQA) govern decisions in this area. A mandatory finding of significance would spring from a finding that a project: (1) achieves short-term goals that conflict with long-term goals; (2) could threaten a listed species; or (3) does something else that he can't remember. (Coho are using Macayama Creek, so the project could possibly affect the recovery goal for that species.) An impact is potentially significant if it can't be reduced from significant even with mitigation. The Water QC Board has yet to set the Total Maximum Daily Load re river flow, sediment, and temperature, which could trigger a finding of significance. (K): Our engineers met with F&G, which seemed satisfied with what we are doing, especially concerning fish passage. They suggested a slight design modification for controlling flow when the dam is taken out, as well as one other small change.

Q: When were the Del Rio and Memorial Beach dams put in? A: A dam at Del Rio goes back at least 60 years; there has been more than one. In 1939, local residents formed the Del Rio Amusement Co. The Memorial Beach dam went up after WWII as a veterans memorial.

Q: Are there similar permitting concerns with the dam at Memorial Beach? If so, how are they mitigated? A: Healdsburg's dam, as a continually existing, operating structure, doesn't qualify as a new project that needs to satisfy CEQA standards, although a fish ladder has been installed. Since the Del Rio dam has not been erected in recent summers, its CEQA has to address existing conditions now.

Comment from Al Pucci: For the Fitch Mountain Association and the Del Rio board, the central issue is what these existing conditions are. The issue is interesting and volatile, and one that will have to be worked out with the agencies directly involved. We can't argue about it or settle it here today—we need to get beyond it.

Q: If the dam isn't approved, what will happen to the old dam? A (K): I don't know, because I won't be there...."

Q: What area does the Del Rio Recreation District encompass? A (K): The district's boundaries extend from "Ralph's house" to the end of Redwood Drive, and across the river to the Bailhache side (though not to the Academy's property).

Q: Have you had a forum such as this with Bailhache residents? A: No, they haven't requested one.

There were various quality-of-life questions about the impact of the dam on local residents. How can negative impacts be mitigated? How would not having a dam change concerns about traffic, trash, etc.? Would the recreation district continue to maintain a public beach and river access site with or without the dam? A (partial): It's hard to tell how much traffic is due to the dam and beach. The parking lot holds 20 cars. It's an issue whether there's a dam or not. Without a dam, the district would gradually disappear. The property would revert to the County, which is not interested in operating it.

Q: Who gets keys to the gate? What are the hours of operation? A: "Everybody on the Mountain" got keys and/or duplicated them a long time ago. Now only King and the lifeguards have keys. The hours are noon to 7:00 daily, from the second weekend of June to the weekend after Labor Day. It can't be opened when a lifeguard isn't there due to insurance issues.

Open Comment Period:

Phyllis Del Carlo: She's been on the Mountain for 55 years, and it seems to her ridiculous to spend \$1,000,000 to address 6-8 hours of turbidity.

Glenn Sirchuk: He lives on Palomar, close to Del Rio. Parking is limited. He fills up the street parking with his own vehicles the first 2 weeks of summer to discourage the kids from parking there. He doesn't think the dam would make any traffic difference, because we're at maximum visitor impact now, without it. However, the dam gives a nice recreational opportunity to residents. Without the recreation district we'd have a vacant lot and a major nuisance.

Someone noted that parking problems are not just a nuisance to residents, but an issue of emergency vehicle access that affects everyone. K: Call the CHP early in the season about unsafe parking, to get the message out.

Dave Wonkler: He's been here for 42 years and faces the river. He believes it is better to control the situation than not. It would be worse if we abandoned the district to the County. We don't want to lose control.

Louise, from Redwood Drive: Can we please have a response to the first comment/question?!?
[See Phyllis Del Carlo, above.]

Q: How much did it cost to construct the old dam? And isn't there a better way to release the water to offset the 6-hour turbidity concern? A: The old dam cost \$11,000 a year to put in and take out. The Water Quality Board is adamant about the turbidity issue—they don't even want a bulldozer there. We looked at alternatives that would be acceptable to WQ and F&G. Turbidity isn't good, even though it isn't long-lasting, and we do want to be environmentally responsible.

Q: Is the dam something that current residents want, or are we trying to revive an icon of the 30s-60s? A: The residents seem to be split. K: A formal vote was taken by mail in 1970 about doing away with the dam, and the results were pretty heavily in favor of keeping it. Since November of last year ['07], we have received three letters opposed to the dam, and we have the names of 20-40 people who are in favor of it. As population increases in this area, recreational facilities are squeezed. Ours is a public facility, not exclusive to Fitch Mountain residents. We can't think of it as just being our own. It serves Hispanic families and others of limited means. It is unique because it is small. King has been on the board for 35 years and personally feels the dam is very worthwhile.

C: It would be nice if the park district would get a website—it would facilitate communication.

Kate Fraga: Beaches other than the Del Rio beach are also de facto public facilities. It's kind of a "laissez faire" for residents, as we carry trash, etc., to keep "our" beaches clean. It's one way we get to "pay back" for living in such a beautiful place.

Concluding Remarks:

W: You can email him at dwilson@dfg.ca.gov to ask for a copy of his comment letter about the dam. He is committed to working with the project (if approved) to achieve mutual goals.

K: We are not in an adversarial relationship with the permitting agencies. There's no reason to be—they control us. There are areas of discretion, judgment where people can disagree. He'll ask his son about creating a website. The district is going to hire private security guards on the weekends (in addition to the lifeguard). The district board members are all volunteers, who serve with no compensation. They love the area and want to have a nice facility for all, and they want to work with everyone here. He'll be happy to keep everyone informed as much as possible. There's nothing going on in the immediate future.