



SANTA CRUZ COUNTY GROUP
of the Ventana Chapter
P.O. Box 604, Santa Cruz, CA 95061
EMAIL: sierraclubsantacruz@gmail.com
WEB: www.sierraclub.org/ventana/santa-cruz

December 2, 2021

Mr. Brian Lockwood
Manager, Pajaro Valley Water Management Agency
36 Brennan St.
Watsonville, CA 95076

Re: Sierra Club Comments—Updated PVWMA Draft Adaptive Management Plan

Dear Mr. Lockwood,

Thank you for the opportunity to comment on the revised Draft AMP dated November, 2021. **The Sierra Club recommends additional revisions to ensure that the environmental effects of project operation are adequately assessed by monitoring.** Specifically, the mandated objective of preserving waterfowl habitat quality will not be met unless adequate monitoring and adaptive management actions are implemented.

Additionally, the Sierra Club requests revisions to ensure that the Adaptive Management Plan (AMP) process is implemented over the life of the project with public involvement and accountability, as required by the water rights permit from the California State Department of Water Resources.

Finally, the Sierra Club thanks the Pajaro Valley Water Management Agency for the significant changes made to date. These changes are also discussed below.

REQUESTED REVISIONS

Vegetation Monitoring. The most critical revision needed in the AMP is to expand vegetation sampling to all elevations. The current sampling protocol limits vegetation sampling to lands above 59 feet, although vegetation surveys submitted to date indicate that most waterfowl food production occurs at elevations below 55 feet. The proposed methodology would miss the adverse effect of project operation on waterfowl habitat and fail to trigger necessary management actions to preserve waterfowl habitat quality.

Consultant John Hunter recognized this concern at the November 10 meeting of the Adaptive Management Plan Committee (AMPC), where he stated his intention to discuss with staff a revision to the sampling methodology to include sampling transects at elevations below 59 feet. The Sierra Club requests this discussion to be included in the meeting summary. The Sierra Club also requests that, prior to submitting the final draft of the AMP to the Pajaro Valley Water Management Agency (PVWMA/PV Water) Board of Directors, the vegetation monitoring be revised as follows:

“Permanently marked transects will be used to monitor changes in the cover and species composition of seasonal wetland vegetation at elevations of ~~59~~ 51–63 feet NAVD88. The purpose of this monitoring is to document changes in species composition of seasonal wetland vegetation because of its importance for wildlife, particularly waterfowl.”

AMP Committee Oversight. Chapter 6 of the AMP establishes the process for reviewing and reporting monitoring biotic data, evaluating action triggers and taking actions. Although the AMP process correctly involves the AMPC in revising the AMP annually, Section 6.2.1 of the Draft AMP would exclude the Committee from supervising management actions other than to receive notification.

This omission improperly relieves PV Water of AMPC review and oversight of critical decisions affecting the preservation of waterfowl habitat quality, culturally important resources, wetland vegetation and other Lake resources. The AMP is required to be implemented over the life of the project, and public accountability must likewise cover the entire implementation period. Excluding the Committee from participating in management action decisions not only violates accountability but forgoes the benefit of Committee expertise, knowledge, participation in plan development, ties with community and tribal affiliations in critical management decisions.

The Adaptive Management Plan Committee Committee’s oversight of AMP implementation was established by the AMPC’s first action as a body, which was to amend the draft bylaws to require that after the initial four meetings, the AMPC will “meet again at the end of the initial adaptive management planning process and thereafter at minimum annually.” The scope of the Committee cannot be reduced to limit its function to amending the AMP. It must continue to exercise the full scope of its mission to evaluate and adapt monitoring methods, action triggers and management actions. This is the very reason for the Adoptive Management Plan Committee’s existence: to evaluate, modify and *adapt* management actions to accomplish all of the AMP objectives.

The Sierra Club therefore proposes that sections 6.1 and 6.2 be revised as follows:

6.1 ~~PV Water Evaluations~~ AMP Implementation and Modification

Staff will annually review summaries of monitoring data, PV Water O&M activities, and evaluate practices. Based on this review, monitoring and management practices will be presented to and discussed with the Committee in May of each year, and decisions to change practices for the subsequent year will be made if necessary. This evaluation may be supported by technical experts, regulatory agencies, land owners, or other stakeholders in addition to the Committee.

6.2.1 Adaptive Management Reporting

Each year a memorandum will be produced that summarizes monitoring and O&M conducted by PV Water, and reviewed with the Committee. Agency staff and the Committee will discuss if action triggers were exceeded, and if so, what management actions ~~were~~ should be taken or planned in response. If urgent management actions were taken prior to this discussion, Agency staff will provide a summary of the action trigger, management action and reason for urgency, and the Committee will review this summary and discuss with staff whether additional or modified actions are indicated. This memorandum also will document any changes in monitoring and O&M practices implemented for other reasons (e.g., changes in regulations or technology), new information that may affect O&M, and revisions to the AMP, if

any. Following the meeting, PV Water will issue a summary of the meeting and the final determinations on whether triggers were exceeded, and what management actions are to be taken. Monitoring results will be an important basis not only for adaptive management decisions, but also for revising the AMP. Annual monitoring reports and reports on targeted studies completed that year will be attachments to the memorandum. Annual memoranda will be publicly available.

Workplan and Budget. To ensure public accountability and fiscal responsibility, it is essential for the PVWMA to establish a workplan and budget for the AMP. Without a budget and workplan, neither the PV Water Board of Directors, PVWMA staff nor the public will know what elements of the AMP will be implemented, the level of investment in AMP monitoring or management, or the details of implementing the required element of the AMP. Without a budget, not only does the public not know what work is planned, but the Board has no systematic context for evaluating expenditures on the AMP. Instead, the Board would need to approve each aspect of a continuing series of piecemeal expenditures that would be impossible to manage cohesively. A budget declares the agency's financial investment in the monitoring and data analysis, and defines the level of commitment to and management actions. A workplan and budget is the vehicle by which the Board of Directors approves the AMP implementation for any given fiscal year. A basic workplan with a budget for monitoring is essential to reaffirm the commitment of the PVWMA to the first round of monitoring under the AMP to begin next year. If the AMP budget comes from multiple areas of the overall agency budget, this can be noted.

Because the proposed monitoring studies are described in the AMP, the budget and workplan for these should also be stated. The workplan and budget should be updated annually to reflect additional monitoring or management actions identified. The Sierra Club therefore requests that the agency develop an annual operating budget and workplan for implementing the adopted AMP.

AMP REVISIONS TO DATE

The revisions to the Draft AMP made to date will improve the effectiveness of monitoring, triggers and management actions in mitigating potential effects of the PVWMA irrigation project. The following significant modifications have been made to the document:

- The objective for waterfowl was revised to “Preserve waterfowl habitat quality in the proposed water storage area.” This revision, consistent with your agency’s commitments as established through the water rights permit process, ensures that PV Water will take actions as necessary to ensure not only that waterfowl populations remain stable, but that waterfowl access to food and other components of habitat quality is maintained.
- Plant transect monitoring was added to the AMP to record plant species distribution, seed production and cover including vegetation height. This will enable managers to evaluate the effect of project operation on waterfowl food plants, food availability, dabbling duck feeding areas and other elements of waterfowl habitat quality.
- Reductions in waterfowl food plants or seasonal wetland vegetation will now trigger management actions to restore waterfowl food plants and other marsh vegetation.
- Appropriate woody vegetation control methods will be adapted to remove riparian vegetation outside the existing willow forest without unnecessarily damaging non-target marsh vegetation.

- Plants with tribal significance were identified. The vegetation transects will allow managers to track the effects of project operation on these significant plants and to monitor annual changes in these plant resources over time. The information will potentially facilitate the design and implementation of management actions to promote and utilize these plant resources as appropriate.
- The AMP Consultant, lead bird monitor and management agreed at the November 10 meeting that bird surveys could be revised to include recording the branches of the wetland where birds are observed. This important change will enable monitors to detect treatment effects and changes from project activities in specific areas of the lake and help managers design effective vegetation management actions. Counting birds by branch still allows summary on a basin-wide basis. The Sierra Club looks forward to this important revision being included in the meeting summary and in the final text of the AMP document submitted to the PVWMA Board of Directors for approval. The metric for waterfowl preservation on Table 4–1 should read “Annual median of daily abundance and species richness of waterfowl guilds (diving and dabbling ducks) during December–March, both by lake branch and cumulatively.”
- The action trigger for agriculture was revised to coincide with the Integrated Project Environmental Impact Report, requiring action after five years of no agricultural activity in the upper contours of the basin during average to very dry years. This revision renders the agricultural objective more consistent with preserving waterfowl habitat quality, should waterfowl food plants become established in this elevation band.
- The Cultural Resources objective should be expanded to facilitate utilization of plants and wildlife important to indigenous culture. We suggest the following revision: “...sustain plants of cultural significance to the Amah Mutsun Tribe and provide tribal access for resource utilization as feasible.”
- The AMP Committee discussed, and the consultant supported, the need for language in the AMP to describe the desired outcome of management actions. Explicit definition of a successful management action is essential to include in the AMP to provide a guideline for management action design, implementation and conclusion. Committee Vice Chair Jerry Busch recommended adding the specific statement to the AMP that “Management actions shall be implemented until the trigger for management no longer applies.” This verbiage has the dual effect of guiding management and allowing revision or deletion of action triggers.
- Similarly, monitoring the efficacy of vegetation treatments is essential to verify that AMP objectives are met, particularly objectives to preserve waterfowl habitat quality and to sustain seasonal wetland and native vegetation. A clear guidance would state that “Vegetation treatment areas will be monitored as needed to ensure successful (>25% cover) and stable plant establishment.”

The Sierra Club looks forward to these last important revisions—to establish standards for implementing management actions and completing vegetation monitoring—being added to the meeting summary and to the final text of the AMP document sent to the PVWMA Board of Directors.

Renaming the Lake/wetland was proposed by one committee member and supported by several others at the November 10 meeting. Although the renaming process may not be a focal point of plan adaption and implementation, sensitivity concerning the current name should be observed in project documents and supported by the PVWMA Board. Considering the significant contributions of the AMPC's tribal member, the contributions of tribal representatives in providing cultural resource information, and the overall focus of the AMP on preserving sensitive cultural sites and resources, the Sierra Club requests that the current name not appear on the cover of the final AMP.

Thank you again for the Draft AMP improvements to date, and for your consideration of these final revisions.

Respectfully,

A handwritten signature in black ink that reads "Micah Posner". The signature is written in a cursive style with a large, stylized initial "M".

Micah Posner, Chairperson
Sierra Club Executive Committee
Santa Cruz County Group