

# Meeting Notes

Reinitiation of Consultation (ROC) on the Coordinated Long-term Operation (LTO) of the Central Valley Project (CVP) and State Water Project (SWP): Agency Core Team Meeting

Wednesday, August 2, 2017, 2:00pm – 4:00pm

Bay-Delta Conference Room, 801 I Street Suite 140

## Attendees

Katrina Harrison, Luke Davis, Ben Nelson, Garwin Yip, Carl Wilcox, Kim Squires, Mike Ford, Katherine Sun, Jana Affonso, Chris Wilkinson

## Meeting Purpose

To discuss the NEPA Scoping meetings, Reinitiation of Consultation (ROC) Bands, Integration Team, and Oroville Operations in relation to the Reinitiation of Consultation.

## Short Agenda Items

- A rolling list of agenda items should be incorporated into these meetings.

## NEPA Scoping Meetings

- Reclamation is sending out meeting invites for scoping meetings.
- The meetings will be similar to the February 14 kick-off meeting: similar presentations and information stations, as well as a public comment period.
  - o Question: How are the NEPA scoping meetings different from the February 14 kick-off meeting? Answer: The February 14 meeting was focused on outreach. Through NEPA, the scoping meetings are required and provide an opportunity to comment as well as outreach. Also, the public scoping meetings are open to the public.
- Comment: It may be useful to have unified agency participation for the Sacramento scoping meeting.
  - o Comment: There may be some concern if agency representatives participated in only some of the scoping meetings and not all.
  - o Agencies are still welcome to provide information for the scoping meetings.
  - o DWR will hopefully have representatives at the scoping meetings.
- Providing a FAQ sheet on general questions may be useful for stakeholders.
- DWR is still determining the CEQA aspect of the ROC.
- Agency reps could assist in “manning” the tables at each scoping meeting, although their attendance is not required.

## ROC Bands

- The American River ROC Band will meet on August 24 or 25, or September 14 or 15. The first day will take place in Folsom, while the second day will occur in Folsom or Sacramento.

- Question: Aside from Band participants, can agency representatives observe the meeting? Answer: Yes.
  - Prep materials (relevant reports/studies) will be sent out to the American ROC Band members soon.
- Question: Who is the point person? Answer: Ben and Katrina will continue to be facilitators for consistency purposes.
- Question: Is the Clear Creek ROC Band finished? Answer: There will be a follow-up conference call on August 11. A stakeholder version will also follow.
- Reclamation handed out a diagram of the pre-NEPA process as well as a rough schedule.
  - Comment: There should be clarification to distinguish the NEPA scoping meetings from the other meetings on the diagram.
    - The NEPA scoping meetings will be highlighted.
  - Comment: Clear Creek was considered the easiest ROC Band meeting, yet took more than the scheduled two days. Other ROC Bands may require more time.
    - Hopefully our efficiency will improve with each meeting.
    - Follow-up conference calls will be scheduled just in case.
- The Stanislaus ROC Band group will follow the American.
  - Question: When will the Stanislaus group meet? Answer: Near the end of August or early September.
  - Comment: Was Trinity River forgotten? Answer: No, it's embedded in Clear Creek/Sacramento ROC Band. Reclamation will adjust the graphic.
- Question: What happens on/after January when the meetings are finished? Answer: All the ideas generated will be thought through by the Integration Team and then those that do not get screened out put into alternatives and modeling analysis.

## Integration Team

- The team will be representatives from the five agencies looking at the big picture of all the ROC Bands.
- Question: Agency representatives should be those with operations knowledge? Answer: Yes.
- Question: This team is focused on aquatics not terrestrial species, correct? Answer: Yes.
- Question: In terms of timing, this team would meet early next year? Answer: Yes.
  - Comment: Could meet now and work on Clear Creek ideas.
    - This would help with the time limitations but would also limit the big picture approach.
    - Will not have the Integration Team meet now, but will consider in a few months.

## Oroville Operations

- Operation of Oroville Dam and Reservoir should be included in the proposed action for the ROC on LTO, even if it is identical to that proposed in the FERC re-licensing Biological Assessment.
- Even if Reclamation designates FERC the lead federal agency for Oroville now, NMFS did not have the ability to consider Reclamation's authority in addition to FERC's in analyzing the effects of the action and considering any reasonable and prudent measures and terms and conditions.

In addition, FERC's jurisdiction for the Oroville consultation is limited to power generation, and does not include any diversions associated with the SWP.

- Reclamation, and DWR as the applicant in the BA, will likely propose Oroville operations as proposed in the FERC consultation. It will then be up to NMFS to determine whether the Oroville FERC BO is adequate to analyze the effects of the SWP, or if additional analyses are necessary.
- USFWS stated they would likely incorporate the existing FERC analysis by reference in the ROC on LTO as long as Reclamation has the authority to implement any requirements from the FERC consultation.

## **Rolling Issues**

- Reclamation met with Garwin to discuss Friant incorporation into the ROC
  - Consultation was done on San Joaquin River Restoration flows so potentially no need to add it to the ROC. If the ongoing consultation on lower San Joaquin River recapture stalls, then we would add it to the ROC.
    - Katrina to set up a meeting with Garwin and Erin Strange and Jana to discuss Friant
- Time period of analysis for ROC.
  - Reclamation still hopes to have a flexible time period and support long-term water contracts.
  - Checkpoints are good since the analysis can only go so far out. Chances to reinitiate consultation will only increase in the future.
    - This will need to be described thoroughly to the stakeholders.
    - WaterFix used 2030 as a "check-in" and not a reinitiation of consultation.

## **Action Items**

- Katrina will schedule the American River ROC Band and provide prep materials to attending members prior to the meeting.
- Katrina will work with Jana and Garwin to draft a FAQ sheet for the public scoping meetings
- Katrina to schedule follow-up conference calls for the American River and subsequent ROC bands
- Katrina will provide an electronic version of the pre-NEPA flow chart / diagram developed by Kerns & West.
- Katrina to set up a meeting with Garwin, Erin Strange, and Jana to discuss the Friant Division