

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

Tuesday, October 17, 2017, 2:30pm – 3:30pm

1416 Ninth Street, Resources Building Room 340

Attendees

Katrina Harrison, Janice Piñero, You Chen Chao, Mike Ford, Ben Nelson, Garwin Yip, Jana Affonso, Kim Squires, Katherine Sun, Carl Wilcox, Chris Wilkinson

Meeting Purpose

To discuss the ROC on LTO MOU status, California WaterFix inclusion in the ROC on LTO, S.O. 3355 and the ROC on LTO Schedule, workflow to determine analytical tool use, and any rolling agenda items related to the ROC on LTO.

ROC on LTO MOU Status

- Reclamation is waiting for some final edits from NMFS and DWR.
- Question: How much is the CWF inclusion linked to the MOU?
 - o Answer: No mention of CWF in MOU. MOU does mention “potential new improvements”. Reclamation suggests saying “potential new improvements, as necessary and appropriate”.
 - o USFWS supports this. We may want to add “may include” language to provide some flexibility.
- Once edits are done, the MOU will be sent to the water users for signature or any last edits.
- Question: How many PWAs are going to sign it? Answer: Unsure at this time, maybe 10 to 20.
 - o Reclamation will ask the water users and determine a number.

California WaterFix Inclusion

- A Decision Support Paper on CWF was drafted for Core Team review
 - o NMFS provided comments. USFWS will provide written comments soon.
 - o Question: Are the principals wanting to know the core team’s preferred option or what their preferred options are?
 - Answer: Best to verbally state to principals which options we suggest.
- o A decision on the inclusion of CWF is Reclamation’s decision, but input should be heard from each of the agencies.
- o USFWS want clear language to communicate the original intent of the agreements made in the last year regarding CWF. USFWS’s preference is to continue with the original intent.
- o USFWS comment: Communication is important between management, water users, and agencies. It’s difficult to comment without understanding the full background of current ongoings.

- As an example, in the recent water users meeting, PWAs suggested USACE could be the lead Federal agency for subsequent CWF ESA consultations. USFWS has never heard this before.
 - Question: Wasn't clear why the key takeaways were highlighted in the paper. Couldn't it have been only under the background section? Answer: It's just the format Reclamation requires for these documents.
 - Question: Do PWAs want the ROC at this time? Answer: It's likely they do want it, but they do not want any inclusion of CWF.
 - Regarding the second written comment from NMFS:
 - The referenced analysis in the CWF briefing paper should be a risk analysis and not a BA analysis.
 - This will be fixed.
 - "Others" should be removed from the last paragraph in the background section.
 - Baseline discussion should also be moved to the background section.
 - PWAs were concerned about Scenario 6 Footnote 29 in CWF BO likely detailing OMR restrictions. This is the reason they are concerned with regulatory responsibilities falling on non-participants of the CWF.
 - This will be discussed at the next agency core team meeting after agencies have time to research this.
 - It may be that agencies and PWAs interpret this footnote differently.
 - More thought is needed on the timeframe for Option 1 in the support paper.
 - If CWF isn't built, then the effects analysis* could be difficult.
 - There are assumed benefits to Delta Smelt through CWF.
 - Reclamation could potentially withdraw the consultation if CWF does not occur, in order to avoid the environmental baseline and effects complications.
 - It's possible to have multiple no action alternatives in NEPA for the ROC.
 - This may work for one no action without CWF, and one with CWF.
 - It would be awkward if the duration of the ROC ended before 2030, because the existing BOs extend to 2030 and include actions that must be taken before 2030. Since these RPA actions would be in the environmental baseline, it would be hard for the proposed action to be anything shorter than the existing RPAs.
- Some PWAs have requested to meet with the agencies, as well as Reclamation.
 - Reclamation: Will see what management wants.
 - USFWS: Will also discuss with management. This would depend on the meeting objectives, as well.
 - Question: How often are the current meetings with the water users? Answer: Once a month, for 4 hours.

Decisions

- No major decisions were made at this time.

Rolling Agenda Items / Miscellaneous

- Three USFWS staff members will attend the upcoming Hoopa Valley Tribe meeting, and are available when everyone else is available.

Action Items

- Katrina will research the CWF BO footnote and clarification letter
- Katrina will send the water user smallgroup charter to the agencies.