From: Garwin Yip - NOAA Federal <garwin.yip@noaa.gov>
Sent: Monday, June 4, 2018 9:57 AM
To: Harrison, Katrina
Cc: Carl Wilcox; Flahive, Kaitlin; Kirkland, Marianne@DWR; Mario Manzo; Kuenster, Gail@DWR; Carolyn Bragg; Armin Halston; Pinero, Janice; Benjamin Nelson; Kim Squires; Wilkinson, Chris@DWR; Michelle Banonis; Kundargi, Kenneth@Wildlife; Jana Affonso; Daniel Cordova; Cindy@DWR Messer; Allison, Anna@Wildlife; chris.wilkinson@water.ca.gov; Jacobs, Brooke@Wildlife; Messer, Dean@DWR; David Mooney; Ford, John@DWR; Katherine Sun; Spanglet, Harry@DWR; McCalvin, Catherine@DWR; Kaylee Allen; Garwin Yip - NOAA Federal; Luke Davis; Russell Grimes; Justin Ly; Chao, You Chen@DWR
Subject: Re: ROC on LTO Core Team Update
Attachments: 20180524_3Phases.pdf; Tracks Schedule.docx

Katrina,

I agree with Jana's thoughts and questions, below, and incorporate them by reference. In addition, here are some thoughts about the proposed timelines:
-- Completion of ESA compliance:
++ Track 1: I saw (or heard) that the desire is to complete ESA compliance by the end of calendar year 2018.
== If that's true:
** it should be reflected in an updated GANTT chart and schedule.
** that may not be consistent with previous messaging, which is that Reclamation cannot dictate to the regulatory agencies when ESA compliance has to be complete
== As Jana pointed out, that is not consistent with the GANTT chart, which indicates formal consultation.
** However, use of the term NLAA would not be appropriate, because as previously discussed:
-- most, if not all, of the actions currently proposed to be included in track 1 are part of the RPA(s), and therefore, are not discrete Federal actions that warrant a separate effect determination
-- actions that are intended to replace any given RPA action, by definition, would be LAA because the RPA, in total, is the minimum to avoid jeopardy.
++ Track 3: Your e-mail, below, indicated that "We are now required to complete Biological Opinion(s) for the ROC on LTO by the end of 2020." As far as I know, that is a DOI "directive," but DOC has not agreed to that timeline…yet. That should be clarified in the messaging.

-- NEPA:
++ Cooperating agencies should have an opportunity to review and comment on the NEPA document for tracks 1 and 2 prior to disseminating to the public for comment.
++ For track 3 (ROC), October 2019 is Cooperating Agency (Water User) review of Draft EIS. Why do water users have priority in cooperating agency review of the draft EIS? When do the rest of the cooperating agencies have an opportunity to review the draft EIS?

-- We should discuss some of the short-term actions assumptions, for example:
++ How would Reclamation know whether a given short term action is equally or more protective than the RPA action it is intended to replace?

++ Broad agreement and little disagreement on study results: The short list of actions includes actions (e.g., I:E ratio) that do not necessarily have broad agreement and little disagreement on study results.

++ No peer review of tools or documents: Some of the new science has had peer review of the tools or documents

++ Analysis using existing information, no new modeling: How would Reclamation know whether a given short term action is equally or more protective than the RPA action it is intended to replace?

-- GANTT chart: It would be helpful if the "Duration" could be changed to calendar days. It's nice to know how many business days for each row, but business days don't crosswalk to start and finish dates. Case in point is Jana's comment about formal consultation being 90 days, which is really 90 business days (but 4 months and 2 days on the calendar).

-Garwin-

Garwin Yip
Water Operations and Delta Consultations Branch Chief
NOAA Fisheries West Coast Region
U.S. Department of Commerce
California Central Valley Office
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814
Office: 916-930-3611
Cell: 916-716-6558
FAX: 916-930-3629
www.westcoast.fisheries.noaa.gov

On Fri, Jun 1, 2018 at 9:53 AM, Affonso, Jana <jana_affonso@fws.gov> wrote:

> Good morning,
>
> In advance of the next Core Team meeting, we'd like to share some of the thoughts and questions we have about the process moving forward. We look forward to a good discussion about the schedule.
>
> - The 3 Phases version attached assumes formal consultation for each of the three tracks. That doesn't match the assumption we understood for Track 1 and maybe not Track 2.
>
> - Only Track 3 identifies a 30 day sufficiency review period, which is immediately followed by draft BiOp process. Are there going to be sufficiency review periods for Track 1 and 2?
>
> - The formal consultation timeframe has been reduced from 135 to 90 days for each of the three tracks. Is that enough time?
>
> - The Track 3 schedule should account for peer review of the BiOp(s). (note: the assumptions for each of the 3 Tracks says no peer review of tools or documents). Our understanding is that peer review of the BO(s) is expected to occur.

- To stay on schedule, no new project description changes will be accepted by the Service once formal consultation is initiated.

- For some milestones, the two versions of the attached schedule don't align.

- The last milestone under Track 3 is for Reclamation to either accept or reject the BiOp(s). There is no provision for action agencies rejecting BiOps - the only option is to not move forward with the action or appeal to the Endangered Species Committee (section 7(g)). We recommend Reclamation remove "Accept or reject" from that box.

-The tracks have competing schedules if we assume similar meeting/document review schedule to on-going process

-Possible competing priority/schedule with California WaterFix reinitiation(s) and technical team involvement. We would appreciate a discussion with Reclamation about how to prioritize workload.

-The Assumptions don't align with the current discussions or gantt/milestone documents (tracks 1 and 2).

<><><><><><><><><><><><><><><><><><><><><><><><><><>
Jana Affonso
Assistant Field Supervisor - Endangered Species
U.S. Fish & Wildlife Service
San Francisco Bay-Delta Fish and Wildlife Office
916-930-2664

-Garwin-

____
Garwin Yip
Water Operations and Delta Consultations Branch Chief
NOAA Fisheries West Coast Region
U.S. Department of Commerce
California Central Valley Office
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814
Office: 916-930-3611
Cell: 916-716-6558
FAX: 916-930-3629
www.westcoast.fisheries.noaa.gov

---------- Forwarded message ----------
From: **Harrison, Katrina** <kharrison@usbr.gov>
Date: Thu, May 24, 2018 at 6:54 PM
Subject: ROC on LTO Core Team Update

To: Carl Wilcox <carl.wilcox@wildlife.ca.gov>, "Flahive, Kaitlin" <kflahive@usbr.gov>, "Kirkland, Marianne@DWR" <marianne.kirkland@water.ca.gov>, Mario Manzo <mmanzo@usbr.gov>, "Kuenster, Gail@DWR" <gail.kuenster@water.ca.gov>, Carolyn Bragg <cbragg@usbr.gov>, Armin Halston <ahalston@usbr.gov>, "Pinero, Janice" <jpinero@usbr.gov>, Benjamin Nelson <bcnelson@usbr.gov>, Kim Squires <kim_squires@fws.gov>, "Wilkinson, Chris@DWR" <christopher.wilkinson@water.ca.gov>, Michelle Banonis <michelle.banonis@water.ca.gov>, "Kundargi, Kenneth@Wildlife" <kenneth.kundargi@wildlife.ca.gov>, Jana Affonso <jana_affonso@fws.gov>, Daniel Cordova <dcordova@usbr.gov>, "Cindy@DWR Messer" <cindy.messer@water.ca.gov>, "Allison, Anna@Wildlife" <anna.allison@wildlife.ca.gov>, chris.wilkinson@water.ca.gov, "Jacobs, Brooke@Wildlife" <brooke.jacobs@wildlife.ca.gov>, "Messer, Dean@DWR" <dean.messer@water.ca.gov>, David Mooney <dmmooney@usbr.gov>, "Ford, John@DWR" <john.ford2@water.ca.gov>, Katherine Sun <katherine_sun@fws.gov>, "Spanglet, Harry@DWR" <harry.spanglet@water.ca.gov>, "McCalvin, Catherine@DWR" <catherine.mccalvin@water.ca.gov>, Kaylee Allen <kaylee_allen@fws.gov>, Garwin Yip - NOAA Federal <garwin.yip@noaa.gov>, Luke Davis <ldavis@usbr.gov>, Russell Grimes <rwgrimes@usbr.gov>, Justin Ly <justin.ly@noaa.gov>, "Chao, You Chen@DWR" <youchen.chao@water.ca.gov>

Hello all -

I wanted to give everyone a quick ROC update as we do not have a Core Team meeting next week and a few things are going on.

1) We are now required to complete Biological Opinion(s) for the ROC on LTO by the end of 2020. I have developed a draft schedule for how we could meet this along with the other short-term and programmatic aspects, attached. Please let me know if you have any big concerns, questions, or edits. We have tried to leave as much time as possible for the ESA consultation but it is aggressive.

2) We are changing our messaging away from "tracks" due to continued confusion. I realize this change makes it even more confusing. Please bear with us.

3) We are sending out our initial lists / descriptions of "new science", based on input we have heard at workshops and from technical teams, for Track 1. So far we've sent out the predation / salvage science and the Fall X2 science to those technical teams. Please have your staff take a look and send us anything we are missing to help us make sure we have incorporated all of the new science that could affect our short-term topics. We are planning to use this science to refine the details of our proposed action within our already identified topics, so it is very important we have your input as soon as possible. We are trying to finalize our proposed action for Track 1 in the next few weeks.

Thank you,

Katrina Harrison
Bay-Delta Office
Bureau of Reclamation
Office: (916) 414-2425
Cell: (916) 606-8793