

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, June 6, 2018, 2:00pm – 4:00pm
FWS, 650 Capitol Mall, Delta Conference Room

Attendees

Ben Nelson, Mark Westbrook, Jana Affonso, Garwin Yip, Kim Squires, Carl Wilcox, Chris Wilkinson, Anna Allison, Dan Cordova, Brooke Jacobs, Mike Ford, Katie Flahive, Brooke Jacobs

Meeting Purpose

To discuss the Initial Action Comments, Format for the ESA Package, Programmatic Adaptive Management Framework, ROC the boat as related to the ROC.

Initial Action Comments

- USFWS comments so far are geared towards science including suggestion for other information and different interpretations of information.
- The technical teams are very important, but it seems incomplete at this stage. Reclamation should have the technical teams go through the comments. The proposed action differs from the discussion at the tech team meetings. This should be discussed with tech teams.
- Specifically, the Storm Flex tech team needed another meeting, what was discussed there was not included in the EA. If it is included in the EA, it will show the progression of ideas.
- Are the agencies going to circulate comments from all agencies? Generally once comments are shared with other agencies, they are meant to be shared with everyone, although it will be up to Reclamation to share.
- There isn't precedent for this process. Additionally, staff level may provide technical assistance, but ultimately agencies may have different decisions.
- Under Consultation & Coordination the discussion of meetings could be perceived as agreement, which is not necessarily the case. The NGO's are mostly absent.
- There was a lot of focus on take as salvage, but not any mention of take in the interior delta.

- USFWS comments are very BA focused to form it into a BA.
- Did Reclamation anticipate the quality of the document in the timeline? The document is too early to polish with comments that are being requested. For example, there are conflicting discussions of removing the fish triggers for OMR, but fish triggers would be necessary to trigger the Rapid Genetics Protocol. Also, Rapid Genetics is proposed differently than currently implemented.
- The tech teams will need access to modeling results for Fall X2 to better understand them.
- If there are adverse effects, what would the response look like from NMFS and USFWS?
- There are concerns over CD request.
- Now would be a good time for principals to talk similar to what happened for California WaterFix.
- Timeline and water supply seem like they are the highest priority, but if you try to make too large of a gain in water supply that isn't implemented, isn't that worse than making a smaller gain that is actually realized? Reclamation should consider smaller gains that have less risk of litigation.
- The SST and MAST are cited specifically, but are very long and include many discussions in order to provide conclusory statements as provided in the draft EA outline.

Format for ESA Package

- We need to think carefully about terminology. Reclamation should better define “no additional adverse effects.” We can’t lose sight of the status of baseline.
- Agencies will need a complete project description and fully vetted effects analysis.
- NMFS has discussed it would likely be finding consistency with the RPAs and BOs.
- Concerns that currently there is an imbalance in proposals, in that it is very much focused on water supply, whereas one of the reasons for the request for reinitiation of consultation is the current declining status of the listed species (so that there should be efforts to protect or improve their statuses).
- Getting solicitors involved may be helpful. The ROC Core team should create an agenda for the principal’s call.
- USFWS would like a red line strikeout of what you want to change about the RPA. It is too difficult to find the changes by referencing the RPA. This would be easier to read but is not a specific policy/guidance requirement.

Programmatic Adaptive Management Framework

- This would be another good thing to set-up a principal’s call for, to at least discuss conceptually, they may have good insights.

ROC the Boat

- Mark will send out more information to the ROC Core Team via email to discuss details.

Action Items

- Mark will send out email about Roc the Boat.
- Ben will cancel the meeting for next Tue, 7/17.