

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 3, 2017, 2:00pm – 4:00pm

650 Capitol Mall, NMFS San Joaquin Conference Room

Attendees

Katrina Harrison, Garwin Yip, Jana Affonso, Kim Squires, Katherine Sun, Mike Ford, Harry Spanglet, Carl Wilcox

Meeting Purpose

To discuss yesterday's meeting regarding the ROC on LTO Water User Memorandum of Understanding.

Water User MOU

- Biological objectives text to be added back in, compromise with water user suggested text
- DWR to determine whether they want this MOU to be broader and address CEQA more throughout the document, since they have now decided to do CEQA.
- Katrina to draft a CWF Briefing Paper for agency review
 - o Send out a draft by end of the week for agency review
 - o Briefing paper should touch on: long-term contracts and interrelated and interdependent effects, ROC on LTO timeframe implications
- USACE could be the ESA action agency for CWF operations – could, but don't have to
- Katrina to do a track changes version of the MOU for all changes since the signed December 2016 MOU for agency legal to review.
- Katrina to remove confidential watermark from MOU and replace with Draft
- USFWS and NMFS to raise the water user requested text to management:
 - o Where USFWS or NMFS suggests a RPA, water users should be informed how the alternative is economically and technologically feasible
 - o In the event that USFWS or NMFS reaches a jeopardy or adverse mod determination, water users will have the opportunity to provide input regarding possible RPAs to the proposed action.
- DWR, NMFS and USFWS to get input on CEQA language, and water user RPA requests, in the next 2 weeks
- Agencies okay with all other edits to the MOU with the exception of those mentioned above and text revised based on the discussion at the 10/2 meeting.

Secretarial Order Update

- We are requesting a waiver from the Secretarial Order 3355 for the ROC on LTO, as it is impossible to complete a durable NEPA / ESA process for this project in 1 year.
- Reclamation is briefing Alan Mikkelson, Deputy Commissioner, on Thursday 10/5 regarding the ROC on LTO and Secretarial Order 3355 schedule implications.

- Following that briefing, Reclamation will be briefing Deputy Secretary David Bernhardt (meeting not scheduled).
- Unknown when guidance will be received.

ROC Bands

- Agencies to provide names for Trinity ROC Band, to be scheduled for later October.
- Reclamation has streamlined the process to focus more on brainstorming. We anticipate being able to complete each initial agency ROC band in 2 days with the streamlined process.
- We will continue to work on feeding documents to the ROC bands before meeting, and getting them to own the process.
- Katrina will work to schedule the first ROC band stakeholder workshop – for the American River.

Rolling Items / Miscellaneous

- Katrina will poll agencies for dates for a Trinity tribal meeting
- Reclamation is working on addressing Exchange Contract discretion question related to how Friant is included in the ROC on LTO – once internal position is determined, will schedule a meeting with USFWS and NMFS
- Concern: If we don't analyze climate change in a long-term ROC on LTO, and instead do a 15 year consultation, the consultation may avoid addressing climate change altogether, and the fish species may go extinct because we write off climate fluctuations as variability rather than systematic long-term change.

Action Items

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- DWR to determine whether they want this MOU to be broader and address CEQA more throughout the document, since they have now decided to do CEQA – to be resolved in the next 2 weeks
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