

# 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 Mikkelsen, 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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