

Working Group Meeting

June 1, 2006

Working Group Process

- Purpose statement was reviewed with no additional comments.
- When reviewing Ground Rules, the Working Group agreed to support constructive comments at all times from stakeholders to move the process forward.

Status Reports

Report Schedule and Review

- Stakeholders requested to receive a Word document, instead of a PDF format, as their review draft of the Summary Report in order to make comments and changes easier. Reclamation described the goal of the stakeholder review process is to provide general comments on concepts presented in the document rather than specific copy edits.

Action:

Thursday, June 15, First draft of the Summary Report to the Working Group, Two weeks will be given for stakeholder review. Comments are due COB July 5.

Matrix

An updated Matrix is complete and will be presented to the Working Group at the next meeting.

Perspectives on Program Activities and Linkages

Working Group Perspective. Concern regarding the difficult dynamic of staying focused on their role to define program outcomes when they do not believe the responses they give to the Agencies are being fully acknowledged.

Agency Perspective. Shana Kaplan described an Agency expectation that the Summary Report will contain information that will be generally agreed upon. The outcomes are defined by the performance goals and then identifying what actions need to be taken and the scope of that effort. There may not be agreement on that effort.

Discussion points

- It was also expressed that the Agencies are the ultimately responsible parties for the CVPIA Summary Report and that all stakeholder comments and recommendations may not be included in the Program Summary Sheets. Additionally, there may be disagreements between interest groups and with the Agency's representation of the program assessment.
- Stakeholder interest group perspectives will be included in the Perspectives Section of the Summary Reports.
- Some Program Approaches include information that is beyond scope of the Act.
- Issues surrounding completion will not be included in Summary Sheets.
- It is important to make connections to performance goals in order to see the relationship to Section 3407.

Stakeholder Input on Layout and Formatting Changes for Program Summary Sheets

CVPIA Program Activity Review

- Place Performance Goals as higher priority than Program Approach
- Refine Program Approach to include more clear linkages from the Program Approach to Performance Goals and the larger goals (such as fish doubling) related to the purposes of the Act.
- Describe more clearly what is necessary to accomplish Performance Goals.
- Perspectives text to follow Performance Goal(s).
- Outcome text needs to reflect the priority and reasoning behind the discussions.
- Describe the variety of viewpoints expressed, although they are not necessarily in agreement.
- What has been done historically?
- What Agencies can do in the future?

Stakeholder Perspectives handout

The Working Group received a draft of the “Stakeholder Perspectives” to review. The comments within the draft will be integrated into the Program Summary Sheets. The document lists each provision separately and within each separates the comments into *Working Group*, *Water and Power* and *Environmental Interests*. Deadline for comments from stakeholders on this document is Monday, June 5.

When several stakeholders questioned the rationale behind labeling the interest groups, they were advised that providing accountability is the primary reason for the grouping (although within interest groups there may also be disagreement).

Chapter One Comments

The opportunity to provide comments to the Chapter One draft is now closed. The Agencies have received several comments that help shape the refinement of that section.

Working Group Perspective

Need clearer expression of project purposes in chapter one.

Chapter 2

The Working Group received a handout of a CVPIA Program Linkages diagram that outlines the structure of the second chapter.

- Stakeholders agree that the visual presentation effectively captures the complexities of the linkages to the Act purposes.
- Environmental Restoration Purpose heading needs additional language to clarify that this diagram is useful to guide the writing of the CVPIA Summary Report as it relates to Environmental Restoration and does not encompass all the purposes of the CVPIA.
- Disagreement about how to express goals in the red boxes
- Some agreement that provisions are more clearly expressed in the yellow level, instead of the red level.
- All provisions need to be included in goal statements.
- All goals are red, however, some of the goals are higher priority goals than others (Sustainable doubling for example is higher priority than hatchery production)

CVPIA Program Activity Review

- Need goal language from the Joint Venture regarding Wetlands heading (column 2) to replace the existing language.
- Consider adding a row of magenta boxes under Trinity River heading to describe flow, habitat, and structural modification.

Performance Goal Refinement – Program Summary Sheet Review **(b)(23) Trinity River**

- Progress goals represent the first phase of the restoration and inform future progress goals that are not yet developed.
- Some participants stated that the Performance Goal as written is not related to the language of the Act. The Act is about flows. Act is only a flows contribution to the ROD. The performance goal should be the output of flows. (b)(23) is only about the flow study. The performance goal is completing the flow study and delivering the flows. Progress goals – do a report and deliver flows.
- Other participants noted that the Performance Goals are framed correctly. Performance goals are about restoration program – Act is only a restoration program.
- Incorporate language about TMC role in Program Summary Sheet – specifically about role in changing dates.
- TMC had not adopted language related to footnote 5. They are interim goals.
- Metrics should meet program requirements.
- Need discussion/dialogue about the interpretation of the language (e.g. OCAP, O & M costs, how it shapes interpretation of provision).
- Capital costs are not part of this provision.
- How does Leschi opinion shape what is done under this provision?
- The issue of funding, responsibility, and Restoration Fund all shape interpretation of approach. How will that discussion be integrated into the approach?

(b)(1) AFRP

- Make reference to basin-wide vs. streams as the target. Clarify that the goal is overall, not for each stream.
- Include reasonable effort in the performance goal.
- Act requires reasonable efforts to double –not just to double.
- Add language “doubling” to the text description of the goal.
- Timeframe - footnote language to simplify - address 2002 and note changed date.
- Fill out numbers.
- Take out language that says it is not achievable.

Reasonable efforts

- Reasonable efforts show the challenges of translating the performance into completion criteria.
- Is it measured just by actions under (b)(1) or by adequate contribution from other provisions?
- Reasonable effort is constrained by money.

CVPIA Program Activity Review

- AFRP Final Restoration Plan actions went through reasonableness filter. As such the Plan represents all reasonable efforts and 3406(b)(1) could be considered incomplete until those reasonable efforts are implemented.
- Progress goals look at making major actions to double - to make a significant contribution.
- If you define it by certain actions how do you consider adaptive management?
- There is disagreement about whether the level of Restoration Fund funding defines reasonable effort.
- Reasonable effort has to include a discussion of what is the appropriate funding.
- Reasonable effort has to look beyond the implementation measures in the Act.

Completion Criteria

The principle is to define the criteria that move the provisions that are not complete into the complete column.

- Consider certainty of future funding.
- Need to refine what a program plan means and includes.
- Consider source of future funds.
- Need some assurance that funding is in place to implement the requirements of the Act.
- These provisions move from CVPIA to mission work for agencies.
- (b)(3) program plan needed before considered complete.
- Need flexibility to adapt (d)(1&2), (b)(3), (b)(13) and (b)(16)
- Ongoing programs that relate to (b)(1) aren't complete until (b)(1) is complete.
- Trigger when they meet performance goal: (d)(2), (b)(1) other, (b)(1), (b)(21), and possibly Tracy (b)(4).
- Add sustainable fish population as other consideration for Restoration Programs.
- (c)(1) had a sunset date; shouldn't it be complete?

Completion Criteria Slide

- On a number of completed provisions, numerous sources of funding exist.
- Designed, built, and operated in cooperation with agency requirements.
- Instead of putting annual programs in complete column, create a new column for annual /ongoing so it is clear that the programs continue.
- (b)(2) is a critical provision that achieves the doubling goal-request to add to complete column.
- Move (b)(3) to Not Complete column.
- Add appropriate Restoration Programs into completion criteria.
Example: Clear Creek has time certain activity and components that occur on an ongoing basis.

(b)(16) CAMP

- Performance goal: provide data to help make decisions.
- Peer review will slow down delivery.
- Need more guidance on what data gaps need to be filled.
- Target data collection on categories of actions.

CVPIA Program Activity Review

- 3406 (g) models need better data. Examples: winter run
- Performance Goal – Comprehensive program to support decisions.

Meeting Schedule

June 8

Topics to cover:

- Flow related provisions
- Data and information related provisions

June 22 tentatively scheduled

CVPIA Program Activity Review

Participants

Michael Aceituno — NMFS
Gary Adams — Striped Bass Assoc.
Ara Azhderian — SLDMWA
~~John Beam — CDFG~~
Serge Birk — CVPWA
Gary Bobker — Bay Institute
Frances Brewster — SCVWD
~~Paul Forsberg — CDFG~~
Douglas Garcia — BIA
~~Zeke Grader — PCFFA~~
~~Ann Hayden — ED~~
Tim Hayden — Yurok Tribe
Mike Heaton — Reclamation
~~Heather Hostler — Hoopa Valley Tribe~~
Campbell Ingram — TNC
Danny Jordan — Hoopa Valley Tribe
~~Joseph Jarnaghan — Hoopa Valley Tribe~~
~~Don Marciochi — Grassland WD~~
Clifford Lyle Marshall — Hoopa
Valley Tribe
Jacolyn Martins — Hoopa Valley Tribe
~~Barry Nelson — NRDC~~
Paul Olmstead — SMUD
Jeff Phipps — NCPA
~~Dennis Puz — Yurok Tribe~~
Jeff Quimby — CCWD
~~Spreck Rosekrans — ED~~
Bob Stackhouse — CVPWA
~~Tom Stokeley — Trinity Co.~~
Bernice Sullivan — FWA
~~Jerry Toenyas — NCPA~~
David Widell — Ducks Unlimited
Alan Zepp — NCPA
Dave Zezulak — CDFG

Agency Team

~~John Engbring — FWS~~
~~Dale Garrison — FWS~~
Roger Guinee — FWS
Nick Hindman — FWS
Bill O'Leary — FWS
Susan Hoffman — Reclamation
Shana Kaplan — Reclamation
Allan Oto — Reclamation
Patricia Rivera — Reclamation
Charles Gardiner — Consultant
Janice Kelley — Consultant
~~Roger Pollock — Consultant~~