

## **CVPIA Program Activity Review**

### **Working Group Meeting**

**Monday, April 17, 2006**

#### ***PART Submission***

Susan Hoffman reported that PART was officially submitted Thursday, April 13. Reclamation is pleased with results. Drafting will continue in cooperation with OMB until September. PART is scheduled for release to public in February to coincide with presidential budget.

Questions:

- Can performance goals be released? Reclamation will discuss with Eric Hansen, the Reclamation OMB Examiner if they can be shared. Performance measures will naturally inform the Review Process because they are relevant to the creation of the final CVPIA PAR report.
- When can the Working Group see PART? Members of the Working Group will have opportunity to comment on the PART document during its public release in February.

#### ***Purpose Statement***

Addition: “agency” recommendations to the end of the bulleted item, which states “The document will contain: Implementation status and achievements to date; summarized perspectives and conclusions; and agency recommendations.”

#### ***Ground Rules Review***

Following revisions clarify ground rules under fourth bullet.  
“Represent the group process, rather than individual conflict.”  
“Bring issues and challenges to the group first.”

#### ***Program Activities List***

Add 3406 b(1) (b).

#### ***Working Group Process***

- The Working Group continues to be interested in the timing for further discussion of Section 3407. The agencies are reviewing the comments from the previous meeting and preparing a draft approach.
- The Working Group reviewed the timeline. A Progress Report of CVPIA PAR is scheduled to be presented to the Restoration Fund Roundtable on Thursday, May 18 from 10 am to noon. The afternoon will be considered a Working Group session, since many stakeholders will also be attending the Working Group.
- Tasks are still being defined for developing the draft report and incorporating Working Group review.
- Discussion focused around how to manage comments and possible topics to be included in Report. Need to maintain transparency and capture accurate perspectives. Include barriers to implementation.

## **CVPIA Program Activity Review**

- Working Group discussed the most logical place to include individual perspectives would be in Chapter 3: Summary of Progress and Performance.
- Questions: Any idea how long the report will be? Generally, the agencies are thinking that there would be a two page summary of each program activity in Chapter 3.
- What is the end game? Could there be legislative action? The Resources Committee may schedule a hearing on the CPAR in July. How can Working Group inform possible legislative action in the next Congress?

### ***Agreement:***

Reclamation will calendar specific agenda items for discussion to create opportunities for stakeholders to review and comment on the report before the draft is released.

## ***CVPIA- Summary of Projects Completed***

Shana presented a CVPIA Summary of Projects Completed for review and discussion. She related that the information is similar to what is indicated in the 10-Year Report of Progress.

### **Areas for Discussion:**

- Original Working Group discussions were to include agreements on what performance measures were for the completed projects as a way to inform the performance measures of those that are not complete.
- What is the transition point to complete – O&M for construction projects?
- Several Working Group members will check with specific stakeholders on the status of GCID, ACID, and Water Conservation.
- Water conservation could be “sunsetting” due to lack of interest
- Should c(2) Stanislaus be on this list as complete?

### ***Action:***

- Review Completion - Shana Kaplan and Bob Stackhouse  
GCID  
ACID
- Review 3408 (i) Water Conservation may be considered as active instead of complete – Gary Bobker
- Confirm 3406 (e) 1, 3 and 6 status of completion – Roger Guinee and Dale Garrison
- Consider adding b (1) other San Joaquin River Riparian Restoration to the list.

## ***Program Grouping***

- Presented to the Working Group with changes for review and discussion. Issues were raised regarding the placement of items within the table.
- Why are completed program activities on the table?
- What can be learned from reviewing those that are completed?

## ***Performance Goals***

### ***b(1) Anadromous Fish Restoration (AFRP)***

- Some structural activities are listed in other provisions.

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- Should we tier the structural accomplishment based on high, medium, or low?
- How do we organize/structure to link outputs with overall doubling outcome?
- Difficult to see the priorities the agencies apply – water vs. structural.
- Consider tiering for goals:
  - Doubling.
  - System stressors/limiting factors.
  - Accessible habitat.
  - Structural, flows, gravel (screens, ladders, flows, gravel).

*Reasonable Effort: How do we interpret the “reasonable effort” language for b(1)?*

One view:

- Applies to completion criteria.
- Doesn't apply to performance goal.
- Completion criteria is making reasonable effort towards a goal.
- With 2002 as the target – critical.
- Program made reasonable effort up to 2002.
- No progress measurement is necessary.
- Measure performance of outputs to help prioritize what actions to take.

Another view:

- Agencies developed a program that sets a level of effort.
- Whatever that level of effort is, “reasonable” or not needs more thought.
- Need also to measure “adequate” level of effort each year.
- There is a benefit in measuring progress in implementing the AFRP Plan.

Four types of criteria/goals may apply:

- Progress on the Implementation Plan.
- Performance of the outputs (actions).
- Completion of b(1) for 3407.
- Accomplishment toward doubling goal (outcome).

### **Discussion regarding Progress Goal and Performance Goal**

- Why use both Progress Goal and Performance goal?
- Is performance goal yielding critical information to be a complete measure? Is it an appropriate measure on multiple levels?
- Measures may need to be broken down into different levels and categories of detailed measurements.

### **b(1)(B) Reoperation**

- Performance Goal – protection of all life stages.
- Measure success with progress goal - water supply provided above baseline.
- Cannot measure success by achievement of this protection goal.
- Set targets that are flexible, e.g., by water year type.

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- Look at both flows and volumes.
- Reporting should document annual discussions of re-operation – show decisions are not arbitrary.

### **b(2) 800,000 AF Dedicated Project Yield**

- Can you define a performance goal related to habitat?
- Should we capture secondary purposes of b(2) – water quality, etc?
- Success is the output
- Agencies may need to specify primary and secondary purposes and accomplishments of them.

### **b(3) Water Acquisition**

- Same as b(2)
- 200,000 AF target is from ROD
  - Not accepted by some stakeholders because it is seen as an administrative target
- Goals don't capture that this is a water acquisition program
  - It is a water management program
  - Report on conjunctive use, conservation, etc., not just purchases
- Do you report on the split of how water is acquired?
- Do you require split targets?
- Capture cost-effective measurements
- Look at b(3) decision model for applicability to measure accomplishment of performance goal

### **b(5) Contra Costa Water District**

- Have they cut pump #1 and increased at Rock Slough, so they are monitoring Rock Slough?
- Why has this become a priority now?
- What is necessary for completion/closure?
- Start by defining the outcome goal.
- Need agency plan to meet outcome.
- Need information on the program – haven't heard any progress information.
- Clarify whether this is linked to AFRP or mitigation.

## ***Reimbursability Issues***

The group identified relevant reimbursability issues for agency consideration. Shana presented a table outlining reimbursability/non-reimbursability for each provision per the CVPIA.

- CVPIA did not specify reimbursability for some provisions. Reclamation has determined reimbursement for **all** provisions. This is captured in another table that was not presented.
- Table of reimbursability may not have complete agreement among stakeholders.
- Repayment responsibility for some provisions (e.g. Trinity) is not as large as Reclamation states.

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- It is generally agreed upon that Restoration Fund money is used for non-reimbursable activities.
- Are the things accomplished by agencies (and funded by the Restoration Fund) strictly within scope of the Act?
- Accounting procedures are generally acceptable.
- What activities have access to Restoration Fund and which do not?
- There should be a consideration in 3407 completion for actions that contractors are not responsible for. (e.g. Level 4)
- Is reimbursability synonymous with responsibility?
- Consider completion for only the provisions for which there is reimbursability.
- Inadequate funding from other sources shouldn't extend the time to completion (e.g. fish screens)
- Is/should Restoration Fund be linked to reimbursability?
- Trinity history
  - 1955 reimbursability
  - 1992 reimbursability
  - 1998 Solicitor's Opinion

### **Action:**

- Present legislative and administrative review of Restoration Fund history to Working Group – Shana Kaplan
- Provide copies of the 2003 Guidelines – Shana Kaplan

### **Definitions:**

**Progress Goal:** The measure of progress toward completing the requirements of the Provision.

### **Steps to Completion:**

- Need outcome
- Define Plan
- Implement Plan

### **Meeting Schedule**

- Tuesday, April 25 in Room W-2606
- Wednesday, May 3
- Tuesday, May 16 (Discuss agenda for Restoration Fund Roundtable)
- Thursday, May 18 after Roundtable meeting
  - 10 am - noon Restoration Fund Roundtable meeting
  - 1-4 pm Working Group meeting
- Tuesday, May 23
- Thursday, June 1

### **April 25 meeting agenda preview**

Performance Goal Refinement

- Trinity (b) (23)

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- Refuges (d) (1-5) and (b) 7-13)

### Participants

Ara Azhderian	SLDMWA
<del>John Beam</del>	<del>CDFG</del>
Serge Birk	CVPWA
Gary Bobker	Bay Institute
Frances Brewster	SCVWD
<del>Paul Forsburg</del>	<del>CDF&amp;G</del>
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Ann Hayden	EDF
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Danny Jordan	Hoopa Valley Tribe
<del>Don Marciochi</del>	<del>Grassland WD</del>
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### Agency Team

Allan Oto	Reclamation
<del>John Engbring</del>	<del>FWS</del>
Charles Gardiner	Consultant
Dale Garrison	FWS
Roger Guinee	FWS
Susan Hoffman	Reclamation
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