

MEETING SUMMARY

Central Valley Flood System Conservation Strategy Interagency Advisory Committee (IAC)

Wednesday, October 17, 2012 (10:00 a.m. – 12:00 p.m.)
Bonderson Building, Room 422
Sacramento, CA

Attendees:

Affiliation	Name
CA Department of Fish and Game	Gina Ford (phone)
CA Department of Fish and Game	Sandy Morey
CA Department of Water Resources, CVFPO	Jeremy Arrich
CA Department of Water Resources, DFM	Kelly Briggs (phone)
CA Department of Water Resources, FESSRO	Stacy Cepello
CA Department of Water Resources, FESSRO	Tony Danna
CA Department of Water Resources, FESSRO	Terri Gaines
CA Department of Water Resources, FESSRO	Heidi Hall
CA Department of Water Resources, FESSRO	Marc Hoshovsky
CA Department of Water Resources, FESSRO	Gail Newton
Central Valley Flood Protection Board	Clyde Macdonald
Central Valley Flood Protection Board	Jay Punia (phone)
National Marine Fisheries Service	Howard Brown
National Marine Fisheries Service	Julie Wolford
U.S. Army Corps of Engineers	Mike Nepstad
U.S. Fish and Wildlife Service	Jennifer Hobbs
U.S. Fish and Wildlife Service	Doug Weinrich
<i>Support staff</i>	
AECOM	John Hunter
H.T. Harvey	Debra Bishop
Kearns & West	Ben Gettleman
Kearns & West	Eric Poncelet

Meeting Summary:

Welcome, Introductions, Agenda Review

Stacy Cepello welcomed the meeting participants and invited introductions. Eric Poncelet, facilitator, reviewed the meeting agenda and objectives.

In response to an information request from the August 15, 2012 IAC meeting, Tony Danna presented a graphic of DWR's organizational structure, noting that Russ Stein is the acting deputy director of Delta and Statewide Water Management.

Update from Regional Permitting Subcommittee Meetings

Terri Gaines provided a summary of recent Regional Permitting Subcommittee (RPS) meetings. Terri reported that during the August 9, 2012 RPS meeting, the subcommittee supported FESSRO moving forward with an HCP/NCCP approach for regional permitting. Terri added that during the October 11, 2012 meeting, the subcommittee supported the selection of the Feather River Conservation Planning Area (CPA) as the pilot HCP/NCCP, noting that the Feather River CPA is smaller and contains fewer existing HCPs than the other four CPAs, and that there is already a defined project in the area. Terri also noted that FESSRO staff will be attending and presenting at the Conservation Planning Partners meeting at the end of October 2012 to identify next steps in coordinating with existing HCP/NCCPs.

In response to an IAC member question of how the Feather River HCP/NCCP relates to the Feather River West Levee Project, Terri stated that the West Levee project is the first CVFPP project being implemented, and that FESSRO hopes to incorporate it in the Feather River HCP/NCCP.

Terri also provided an update on the Conservation Strategy (CS) project solicitation package (PSP), noting that the concept proposal period has closed and that FESSRO received more than 40 concept proposals, which is more than was originally expected. Terri added that FESSRO has developed a draft Memorandum of Agreement (MOA) template that incorporates initial comments from permitting agency staff. Terri noted that the MOA, which would be signed by DWR, DFG, USFWS, and NMFS, describes the advance mitigation process and is based on the Bay Delta Conservation Plan (BDCP) MOA. Terri requested that agency staff review the draft MOA template and identify any significant issues or concerns; a revised version will then be developed and shared with legal staff from each agency.

Marc Hoshovsky clarified that the MOA will be a template, and that individual agreements will be developed for each project. Gail Newton also added that DWR legal staff has not yet reviewed the MOA template, and that FESSRO would like to receive staff level input before involving the agencies' legal departments.

Status of Alignment between Central Valley Flood Protection Plan and Conservation Strategy

Jeremy Arrich and Marc Hoshovsky presented on alignment efforts between the CVFPP and CS. Jeremy presented a visual detailing the anticipated schedule for information exchange and coordination between the Basin-wide Feasibility Studies (BWFS), CS, and Regional Flood Management Plans. Jeremy noted that the alignment approach recognizes the need for close coordination between the Central Valley Flood Protection Office (CVFPO) and FESSRO in developing flood-related and environmental goals, and that it is a work in progress that will continue to be refined over time. Jeremy added that when conducting outreach and engagement activities, DWR will present the BWFS and CS as one effort and that DWR will aim to achieve multiple benefits when designing projects.

Marc Hoshovsky stated that information will be flowing back and forth between the BWFS and CS, and that DWR is identifying opportunities for joint stakeholder engagement for the BWFS and CS, which may include the development of measurable

objectives. Marc added that stakeholder engagement associated with the CS has been shifted to begin in 2013 to be more in synch with the BWFS.

Gail Newton noted that she and Marc Hoshovsky will be presenting on BWFS/CS alignment at the next Central Valley Flood Protection Board meeting. Eric Poncelet requested that IAC members not share the alignment visual handout because the approach is preliminary and will likely be updated soon.

Comments and questions from IAC members following Jeremy and Marc's presentation included:

- Q: How will the BWFS and CS be integrated with the regional flood planning efforts?
 - A: Local stakeholders have been emphasizing the need for integration, and DWR is working on this now. Information will be shared across programs and with the regional flood planning groups, likely on an informal basis (as opposed to a formal solicitation process).
- Q: How do the BWFS and CS relate to federal programs like the Central Valley Integrated Flood Management Study (CVIFMS) and Sacramento River Bank Protection Project?
 - A: CVFPO is communicating with USACE about these ongoing projects. USACE is working on scoping the CVIFMS effort, which is a companion study to the BWFS, and recently held a planning charrette. USACE is asking the State what projects it intends to implement, and USACE will then define the related federal interest. USACE will leverage work that DWR performs and conduct additional studies beyond that, as needed.
- Q: How will projects funded by the PSP be integrated with the BWFS?
 - A: The PSP projects are advance mitigation, and FESSRO anticipates that there will be offsite mitigation requirements for CVFPP projects. Given the limited funding available, these projects will only serve a small share of the offsite mitigation needs, but FESSRO thinks it will demonstrate that it can be done. The PSP is similar to an initial investment in mitigation that can be drawn from in the future.
- The timeline graphic should include related federal efforts (e.g., CVIFMS).
- From the standpoint of staff time allocation, it is clear that NMFS is not intended to work on federal projects. NMFS is pursuing its interests primarily through participation in the CS development process rather than participation in the CVIFMS process. NMFS believes that the CS needs to be effectively integrated with federal projects.
- Several Environmental Impact Statement (EIS) documents will be released in 2013, and the CS should be coordinated with those efforts if possible.
- State planning efforts need to take federally authorized purposes into account. As DWR considers the USACE flood control project, it should anticipate potential problems for USACE and address them early in the process.

Approach for Evaluating Potential 2012 CVFPP Actions and Effects

Stacy Cepello reported that the CS Development Subcommittee is moving forward in the development of measurable objectives and tracking, and that an important consideration has been how to evaluate the effects of renovating the State Plan of Flood Control. Stacy added that John Hunter has developed a memo that helps lay the framework for considering these effects, and that it embodies the approach the CS will take in

addressing the effects.

John Hunter presented the memo titled “Evaluation of Potential 2012 CVFPP Actions and Effects, and its Relationship to Development of the Conservation Strategy and Programmatic Permits, and Alignment of Planning Efforts.” John stated that the memo originated from the need to provide a more specific basis for moving the CS forward, and that effects and opportunities for enhancements will be closely tied to the CVFPP. Key points from John’s presentation included:

- The memo does not reflect actual project costs or the footprint of the projects; rather, it is intended to serve as a placeholder (i.e., until the actual projects are better defined) that shows how CVFPP projects and their impacts will relate to the CS.
- The figures are rounded up since the CS is intended to provide net enhancement (i.e., do more than offset the impacts of the CVFPP).
- The memo can inform development of the CS and regional permitting, as it shows the scale and identifies the species that will need to be protected.

Following John’s presentation, Gail Newton requested that IAC members not share the memo beyond this group because it does not reflect actual estimated impacts, and stakeholders might be concerned if they read the memo without proper context.

IAC member comments regarding the memo included:

- It is encouraging that this level of analysis has been conducted. The memo’s findings could be useful for the regional flood planning groups. There might be sections that can be used earlier with the regional groups, perhaps the ones that are less controversial. DWR will need to carefully craft the messaging of the memo and how it is used.
- Round numbers of types of habitat would likely be helpful for the regional groups. It may be best not to include agriculture-related information at this time; FESSRO should not share this memo broadly until there are more specific details. The BDCP has a new mitigation strategy that will inform the CVFPP.
- Impacts on the Lower Sacramento region will be challenging to address. There is less habitat to work with, and there are more urban areas, so the numbers are relatively more challenging.
- The regional planning groups will be identifying specific projects, and DWR can take that information and conduct a refined analysis of impacts. DWR should convey the message that it wants to work with the regional planning groups on this.
- Providing guidance to the regional planning groups could be very helpful in making sure their work is integrated into the CS and BWFS.
- The memo helps remove some of the mystery of how impacts will be determined. It will be a helpful document.
- The next version of the memo should consider more in-water components. Also, agricultural lands are sometimes habitat for endangered species, so perhaps the next version could recognize this and identify the agricultural lands that support endangered species (i.e., rice fields).
- The memo provides a helpful baseline of proposed impacts. When the permitting stage arrives, DWR can use this approach to document and communicate how impacts have been minimized – it can help tell the story.

IAC members expressed support for moving forward with the approach outlined in the memo. A key next step is to determine how to share this information with regional planning groups and others more broadly.

Action Items

- Kearns & West will transmit to IAC members the draft Memorandum of Agreement (MOA) template associated with the PSP for review (completed – email sent on 10/22/12). IAC members will send comments to Terri Gaines by Wednesday, November 14, 2012.
- Kearns & West will confirm the number and name of the regional flood management planning groups and will include this information in the meeting summary.
 - There are currently six regional flood management planning groups: Upper and Mid-Sacramento; Feather River; Lower Sacramento and Delta North; Lower San Joaquin and Delta South; Mid-San Joaquin; and Upper San Joaquin.
- FESSRO staff will determine how to most effectively bring information and guidance from the CS into the regional flood management planning groups, and report back to the IAC at its next meeting.
- The next IAC meeting will be held Wednesday, December 19, 2012, from 10:00 AM – 12:00 PM.