

CALFED Conservation Strategy

Policy Team Meeting Notes

February 22, 1999

3 - 5 PM

1. Call to Order, Introductions, Order of Business

The meeting was called to order at 3:15 PM. The attendees at the meeting are listed at the end of these notes.

2. Service Area Impacts

Dana Jacobsen, USDOJ Solicitor's Office, explained that FWS regulations require that indirect impacts be evaluated when a federal action is taken. Growth-inducing impacts and service area impacts are examples of indirect impacts. FWS cannot issue a biological opinion without considering such impacts. The big questions are how much detail is needed and what geographic boundaries are appropriate. Clearly, there are a number of unknowns when programmatic actions are under consideration.

Cay Goude provided several examples of how service area impacts are being handled in documents either recently prepared or in preparation. In all cases, the solution has been to identify critical needs and to provide a long-term strategy for dealing with service area impacts that cannot be predicted at the time the programmatic biological opinion is issued. This is in contrast to the doomed process of trying to predict the ultimate disposition of CALFED water throughout the service area and calculation of specific impacts for each CALFED action.

Also, it is not realistic to expect that there would be no service area impacts, even if the total available water is unchanged. CALFED is likely to change the allocation and reliability of water supply, leading to impacts to the habitat of listed species in some service areas.

CALFED can deal with service area impacts that are unknown at this time by:

- Collecting baseline biological data in service areas. This process would document resources that could be affected if urban development or agricultural conversions (or any other cause of habitat loss) were the indirect result of a CALFED action.
- Implementing conservation actions to meet existing critical needs within service

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areas.

- Describing the process for implementing conservation actions in the future as additional CALFED actions are implemented. The first step is to obtain maps of service areas for both the CVP and SWP. Then each of the service areas can be evaluated to see if there are existing mechanisms, such as a regional HCPs, that provide adequate mitigation and conservation to meet the criteria of both Section 7 and the NCCPA.

In service areas without existing mechanisms that provide for adequate mitigation and conservation, it will be necessary to identify a process or processes to assess the high-priority needs of species that may be indirectly affected by CALFED and to implement conservation actions addressing those needs. It is possible that project- or site-specific compliance through section 10(a) and/or section 2081(b) may be the best approach to address indirect effects when they can be linked to specific CALFED actions; the process described in the Conservation Strategy should describe this as well.

Mike Fris volunteered to write a description of the federal process. He will have draft text available for review by 3/8/99.

3. VAMP and its Relationship to CALFED

The discussion of this issue, not directly related to the Conservation Strategy, took about 45 minutes.

4. Policy Issues and Next Meeting of Policy Team

The list of policy issues developed by the Staff Team was reviewed:

- Specify term of the CALFED Program and therefore the Conservation Strategy
- Establish geographic scope of the Conservation Strategy
These two issues are at the top of the list. They will be discussed at the next meeting.
- Determine assurances to be included in the Conservation Strategy
Ron Rempel is writing this section. He will continue to coordinate with the Policy Team.
- Authorize and determine schedule, budgets, and funding

These are on-going issues.

- Scope of EIS/EIR: Should the EIS/EIR be adequate for CEQA compliance under NCCPA?
This is a CALFED responsibility, not an issue for the Policy Team.
- Level of involvement of Policy Team in review of portions of document as Conservation Strategy is in preparation.
Staff from the respective agencies will provide portions of the document to Policy Team members as they are prepared.
- Direction for engaging stakeholders
This is important and will be addressed at the next meeting.

The Policy Team will meet:

Friday	March 12, 1999	9 -11 AM	Resources Building Room ??
Monday	March 22, 1999	Noon - 2 PM	Resources Building Room ??

Attendance:

Dawn Andrews, NOAA (phone)
Danae Aitchison, AG
Stein Buer, CALFED
Curtis Creel, DWR
Marc Ebbin, Beveridge & Diamond
Mike Fris, FWS
Rick Gold, BR (phone)
Cay Goude, FWS
Karl Halupka, NMFS (phone)
Perry Herrgesell, CDFG
Dana Jacobsen, SOL
Kathy Kelly, DWR
Marti Kie, CALFED
Jim Lecky, NMFS (phone)
Patrick Leonard, FWS
Ron Rempel, CDFG
Steve Ritchie, CALFED

Kirk Rogers, BR (phone)
Lester Snow, CALFED
Mike Spear, FWS
Brent Walthal, BR (phone)
Wayne White, FWS
