

MEMORANDUM

April 25, 2000

TO: CALFED Management Team
FROM: ERP Focus Group
RE: Establishing One Blueprint for Ecosystem Restoration and Conservation

Summary and Policy Context

Currently there is considerable confusion regarding the relationship between the CALFED Ecosystem Restoration Program (ERP), Multi-Species Conservation Strategy (MSCS), and ongoing regulatory activity in the Delta. There is also a lack of clarity regarding the relationship between ERP implementation, the Water Management Strategy (including the Environmental Water Account), and the development and implementation of future Recovery Plans, other regulatory documents, and regulatory actions affecting species recovery and habitat conservation in the Delta.

The relationship between the ERP and other plans and regulatory actions affecting restoration, species recovery, and habitat conservation in the Delta is a critical issue affecting the potential success of the CALFED Program. How the ERP is implemented over time relative to other restoration and species recovery actions in the Delta will strongly influence support for, and thus the ultimate success of, the ERP, and the CALFED program as a whole.

It is the consensus opinion of the ERP Focus Groupⁱ that the establishment of a single blueprint for ecosystem restoration and species recovery in the Bay-Delta Systemⁱⁱ is a key ingredient for a successful and effective restoration program, and that such a blueprint can be the vehicle for ensuring coordination and integration; not only within the CALFED Program, but between all resource management, conservation, and regulatory actions affecting the Bay-Delta System.

In simple terms, a single blueprint represents a unified, or collective, approach which is defined by three primary elements: (1) a set of transparent ecological conceptual models and integrated science which provide a common basis of understanding about how the ecosystem works; (2) a vision which defines a common desired outcome; and (3) a management framework which defines how parties will interact and how management and

regulatory decisions (including planning, prioritization, and implementation) will be coordinated and integrated over time.

There are numerous benefits associated with the establishment and pursuit of a single blueprint, including improved understanding and stakeholder/public support, a higher probability that desired levels of ecological health will be achieved, and reduced conflicts. Establishing such a blueprint, however, will require a commitment from all the CALFED agencies to the concept, and development of specific mechanisms such as MOUs and internal policies and procedures to ensure effective coordination and consistency.

Recommendations

1. The CALFED Agencies should collectively adopt a policy statement, which clearly commits to the concept of a single blueprint. A proposed draft policy statement is provided in the Discussion section of this memorandum.
2. The CALFED Agencies should endorse and support the development and refinement of ecological conceptual models as the basis for understanding the ecosystem and making informed management and regulatory decisions.
3. The CALFED Agencies should commit to a collective Science Program, which includes an independent Ecosystem Science Board as a common resource.
4. The CALFED Agencies should draft and sign a formal MOU, which defines how parties will coordinate and interact in pursuit of a single blueprint for ecosystem restoration. The MOU should establish a management framework for coordination and integration. A proposed framework for integration is shown and described in Attachment A.
5. The CALFED Agencies should adopt the goals of the ERP and the MSCS as mileposts for defining the desired outcome, or common vision of the single blueprint. This is not to imply that various existing program goals should be superseded by the ERP goals, but rather that in making various management and regulatory decisions, these decisions should strive to be consistent with the overall ecosystem restoration goals established in the ERP.
6. The geographic scope for the blueprint should be defined as follows: Bay-Delta estuary and its watersheds, which includes the Delta, Suisun Bay and Marsh, San Pablo Bay and their local watersheds, the Sacramento River and San Joaquin River watersheds, and San Francisco Bay and its local watersheds;

Tulare basin and its watershed; and, limited to salmonid species issues, the near-shore portions of the Pacific Ocean out to the Farallon Islands and north to the Oregon border

Discussion

The ERP Focus Group was established by CALFED, in part, to address the question of how to better integrate the ERP with and other CALFED and CALFED-associated programs. In addressing this question, the ERP Focus Group has concluded that effective coordination, and consistency, between the CALFED ERP and other plans and regulatory actions affecting species recovery, restoration, and habitat conservation in the Bay-Delta System requires that there be a single point of reference, or a single blueprint, for ecosystem restoration.

The ERP Focus Group believes that the first steps toward addressing the relationship between the ERP and other plans and regulatory actions should be development of a clear policy statement that commits to the concept of a single blueprint for ecosystem restoration, and begins to establish a framework for that concept. The following draft policy statement was developed by the ERP Focus Group as an example of how such a policy statement might be framed and what the key elements of a single blueprint concept would be.

Draft Proposed Policy Statement

It is the intent of the CALFED agencies, through the Ecosystem Restoration Program (herein referring to the ERP plus the MSCS), to establish a single blueprint for restoration and species recovery in the Delta, consistent with existing statutory mandates. The CALFED agencies will commit to ensuring that their applicable programs, including their regulatory decisions and actions, are integratedⁱⁱⁱ to the extent possible and consistent with this blueprint over time. This is not meant to imply that the agencies would relinquish their regulatory or discretionary authorities or responsibilities, or that CALFED or the ERP would assume any regulatory authority; instead, it is meant to emphasize that regulatory tools and ecosystem implementation tools must be integrated to achieve ecosystem restoration and species recovery. The blueprint should not be viewed as static; instead as new information is developed, the constituent plans and regulatory programs that make up the blueprint are modified, and/or a regulatory decision is made that effects the ERP, the ERP itself will be updated and modified consistent with these changes.

Key Elements of a Single Blueprint

A single blueprint is a unified, or collective, approach defined by three primary elements:

- (1) Transparent Ecological Conceptual Models and Integrated Science;
- (2) A Common Vision for Ecological Restoration; and
- (3) A Management Framework.

The ecological conceptual models and integrated science provide a common basis of understanding about how the ecosystem works. These elements represent the foundation for transparent decision making based upon sound science. This is not to imply that these models are fixed, or that they are not tested and modified over time in response to new information in accordance with the principles of adaptive management. Rather, the models represent an agreed upon basis for management and regulatory decisions at a given point in time. They also provide the rationales for these decisions.

The common vision for ecological restoration serves to define the ultimate desired outcome. While each of the management and regulatory programs have their own distinct set of goals, establishing a unified approach requires that in meeting these goals the various programs also strive to achieve a set of common goals, to the extent practicable. The goals for ecological restoration and species conservation established in the ERP and MSCS provide a broad set of goals that can provide the common vision for the single blueprint concept.

The management framework defines how parties will interact and how management and regulatory decisions will be coordinated and integrated over time. Ultimately, the management framework if designed to foster coordinated and consistent decision making over time. This management framework must be flexible, incorporating and responding to new information and changing Bay-Delta conditions. The framework must be designed to promote coordinated planning, prioritization, and implementation. It must also incorporate provisions for resolving management and regulatory conflicts that may arise. Attachment A provides a general proposed management framework for promoting integration and the concept of a single blueprint approach.

Key management and regulatory programs that would be connected through the single blueprint include the following:

Management Programs

- All CALFED Programs
- CVPIA AFRP
- Central Valley Habitat Joint Venture
- SB 1086
- Corps Comprehensive Study
- ESA Recovery Planning

Regulatory Programs

- Reclamation Board permitting
- ESA Biological Opinions related to project operations
- Water quality regulatory activities (e.g., CWA, NPDES permitting, TMDLs etc)
- NCCP's
- 404 and Rivers and Harbors Act permitting

The benefits of a single blueprint approach include the following:

- improved understanding, both of the consequences of certain actions and why specific actions are undertaken;
- increased probability of achieving the desired level of ecosystem health for the Bay-Delta system;
- cost effectiveness;
- avoiding and/or reducing the potential for conflicts that could be counterproductive;
- providing greater management and regulatory certainty; and ultimately
- increased support for the program and program funding.

ⁱ The ERP Focus Group is a joint agency/stakeholder policy forum involving the following individuals and organizations: Margit Aramburu, Delta Protection Commission; Gary Bobker, The Bay Institute; Mike Bonner, U.S. Army corps of Engineers; Byron M. Buck, California Urban Water Agencies; Steve Johnson, The Nature Conservancy; Dan Keppen, Northern California Water Association; Laura King, San Luis Delta Mendota Water Authority; Patrick Leonard, U.S. Fish and Wildlife Service; Dave Nesmith, Save the Bay; Tim Ramirez, Resources Agency; Pete Rhoads, Metropolitan Water District of Southern California; Steve Shaffer, CA Department of Food and Agriculture; Lawrence Smith, U.S. Geological Survey; Gary Stern, National Marine Fisheries Service; Frank Wernette, CA Department of Fish and Game; Leo Winternitz, CA Department of Water Resources; Steve Yaeger, U.S. Army Corps of Engineers; Carolyn Yale, U.S. Environmental Protection Agency.

ⁱⁱ The term Bay-Delta System as used herein refers broadly to the estuary, its watershed, and factors within the defined geographic scope that influence the health of this ecosystem

ⁱⁱⁱ Integration in this context means that the CALFED agencies will make every effort to ensure that their regulatory decisions and actions are consistent with a single, established approach, or blueprint, and that they remain integrated into this blueprint over time. Integration is not intended to imply that regulatory agencies would relinquish their discretionary authorities or responsibilities, or that CALFED governance would assume any regulatory authority. For example, decisions regarding ocean harvest are outside the scope of the ERP; however, such decisions have a direct bearing on the recovery of several listed species covered by the ERP. Under an integrated approach, CALFED would not determine how ocean harvest should or should not be controlled, but the NMFS would commit to working collectively with CALFED governance to ensure that such decisions are made consistent with the ERP to foster the common goal of species recovery. In the event that the outcomes of regulatory processes contradict the ERP a clear linkage must be established to change the content of the ERP so that there is only one blueprint for recovery and ecosystem restoration.