

CALFED Ecosystem Roundtable Meeting Notes
August 31, 1998

Roundtable members (or their representatives) and Liaisons present:

Gary Bobker (The Bay Institute)
Steve Evans (FOR)
Greg Gartrell (CCWD) via phone
Dan Keppen (NCWA)
Laura King (SLDMWA) via phone
John Mills (RCRC)
Hari Modi (NCPA)
Jason Peltier (CVPWA)
Tim Quinn (MWD)
Doug Wallace (EBMUD)
David Yargas (EDF) via phone
Tom Zuckerman (CDWA)

Patrick Leonard (USFWS)

Welcome and Introductions

Based on a low number of Roundtable members in attendance, it was suggested that Roundtable members not present for extended period (3 meetings) be replaced. Having designees participate on behalf of a Roundtable members was also discussed. It was noted that individuals are appointed to the Roundtable, not organizations. Limited use of designees was considered acceptable.

Overview of the 1998 Proposal Solicitation Package Recommended Projects

Feedback opportunity on the 1998 proposals

Additional information was requested by the Roundtable on how the Integration Panel came to its recommendations. Several Roundtable members noted that more information in narrative form would be helpful. A couple members also requested more time to review the decisions. One Roundtable member noted that one reason for non-participation may be because there was inadequate time for review by the Roundtable members. It was suggested that in the 1999 process to provide more lead time for Roundtable review.

Conflict of Interest (Marian Moe) Presentation

Danae Aitchison from the California Attorney General's Office gave a presentation on conflicts of interest. She reviewed the conflict of interest rules pertaining to contracts, in particular Government Code section 1090. She also reviewed the exceptions to the general prohibition on self-dealing in contracts for remote and non-interests. The Roundtable then took a short break to allow members to consult with legal counsel on individual conflict of interest questions. After the break, _____ members declared that they had non-interests in the contracts under the 1998 Proposal Solicitation Package.

Overview of Proposal Solicitation Process

There were nine topic areas with a specific dollar amount budgeted per topic. A proposal needed to score at least a 40 (out of 70 possible) on the technical evaluation to pass to the Integration Panel (IP). Several of the Technical Review Panels (TRP) had an A and B list, meaning they identified more potential projects than the money allocated for that topic section.

The role of the IP was to check for duplicate proposals, identify any conflicts or synergy between TRP recommendations in the different topic areas, identify unmet restoration needs, and ensure the integrity of the process. A member of each TRP was present at the IP meetings to discuss the TRP's recommendations. The IP met over 4 days, reviewing the proposals and TRP recommendations topic by topic. The IP recommended allocation of extra dollars if not all recommended by TRP for a topic.

Cindy Darling reviewed where the IP recommendations went over and under the budgeted amounts by topic, and also reviewed the general geographic distribution. In this round, there were more projects in the North Bay and two projects in the South Bay. Sixty-four of the 180 proposals were recommended for funding and approximately \$25 million in funding was recommended out of \$160 million requested in proposals. Pie charts were presented summarizing the recommendations by project type, applicant type, and geographic area.

The Roundtable took a 5 minute break for Attorney General consultations prior to specific project discussions.

IP panel members present for summary discussions: Pete Rhoads (MWD), Sannie Osborn (COE), and Dan Castleberry (USFWS).

Official public statements regarding COI were made by the following individuals:

- Patrick Leonard declared a non-interest as a USFWS employee.
- Hari Modi declared a non-interest as an employee of a utility (NCPA) with member cities that may have proposals under consideration.
- Doug Wallace declared a non-interest.
- John Mills declared a non-interest re: City of Redding involvement.

Specific Proposal Discussion and Comment

A. Fish Passage Assessment

For this topic, the IP was uncomfortable with the TRP having the breadth and representation for a complete, strong review, so a 4 person subgroup of the IP reviewed all the proposals again. The IP added proposal A1005 as recommended for funding due to its potential ecological significance.

A1000. Minor changes to technical scope were recommended by TRP and IP. There was a question from the Roundtable on the fish capture method. Pete Rhodes said it was probably with nets. He commented that the fisheries experts on the IP were favorable to this proposal. It was noted that the focus of proposal is on adults, unlike most previous work. There was possible concern for adults regarding a dissolved oxygen block near Stockton which is one of several issues being addressed by the proposal. An Interagency team will help guide the study. Funding for planning and organization was cut back from original proposal, which created concern that proposal needs to still be viable. There was also concern that the Interagency team be appropriately configured to be sure that the scope and methodology are appropriate for ensuring the future value of this study.

A1002. Conaway Ranch (RD2035). One Roundtable member objected to lack of cost share by the applicant for this proposal, especially considering the owner is not a financially limited "small family farm." The question was asked whether there is any policy to guide cost share expectations, in support of the comment. It was also noted that funding of feasibility studies does not guarantee future support for construction, etc. Rhoads recalled that IP did not want to jeopardize feasibility analyses by insisting on cost share at this phase. Sannie Osborn noted that the chair of each TRP discussed all recommendations

with the IP. There was concern that 100% funding of feasibility phase sends wrong signal to future applicants. Some felt a need for further guidance on a cost share policy.

A1004. The proposal is still under review and there is not consensus from IP yet, so this application is tabled for now. Money is reserved, but there is no final recommendation yet.

A1005. Englebright Reservoir. This proposal has potentially substantial policy issues. The executive summary was passed out at the meeting. The proposal includes analyzing possible removal of dam, which would have recreation implications and hydropower effects. There was a question about which local agencies that support it. It was noted that the Yuba County Water Authority (YCWA) and Yuba County Board of Supervisors oppose this proposal. The dam is the owned by the Army Corps of Engineers, and operated by YCWA.

Englebright was originally a debris dam, and may have sediments with a mercury load behind the dam. There is a steelhead/salmon team that has looked into this proposal. UC Davis is also involved in studying aspects of this proposal. It was noted that this is an application for studying the issue, not actually removing the dam, and it is an opportunity to address a tough issue. It was also expressed that this is not an early implementation, "low hanging fruit" sort of a proposal typically sought by the Roundtable. One member felt if it is potentially high benefit, high priority, perhaps it should be given seed money to look at it more fully. Another member expressed concern that if there is not local support and consensus (vs. "involvement"), or cost share, he is concerned about the project going forward. This comment applies to the proposed projects in general, not just this one.

It was noted that there is 4 million cubic yards of sediment behind the dam, a there's a study being done by YCWA and ACOE(?). The proposed study could be redundant. One member emphasized that if it has such high ecological value, we should at least look at it. It was stated that it is being analyzed.

With no consensus of Roundtable and local support not there, the applicant must invest *heavily* in getting local support behind it. It would be very important not to push the project against local opposition.

A1006. There was a question regarding the deliverable. It would be a broad scale planning document. A couple members felt it would be a very worthy project, while others were concerned about exactly what will be gotten out of it. It was noted that many similar hydro projects will be up for relicensing in the next 15 years, and this study would provide information that would be useful in investigating mitigation opportunities. One member thought this proposal was underfunded to do the work. Another member concurred, and expressed concerns about whether there was local support. Concern was also expressed regarding impacts on local trout fisheries. It was advised that the applicant work closely with PG&E and PUC, and others on such a project.

Concern was raised regarding the non-profit lead for this proposal, versus a state or local agency. It was noted there are issues about policy mechanisms, how to compensate owners, etc. with this sort of project. Several in group noted that this project is very much policy oriented, versus technically oriented. It was suggested that the applicant come and give a presentation on this project at some point in the future. It was questioned whether this the right group of people, and the right amount of money.

B. Fish Passage and Related Screen Improvements

A question was raised regarding a proposal that was mismatched to their categories. Proposals that were in the wrong category were re-routed early in the process.

B1000. The IP felt that the entire project should be funded, and to not rely on CVPIA funding for additional amounts. Therefore, IP recommended fully funding it (in contrast to the TRP). There was no substantive Roundtable comment.

B1001 and 1010. (Not funded). Policy decisions about what is happening in Suisun Marsh underlay concerns about funding these proposals at this time. One member felt a longer term ecosystem management plan for Suisun Marsh is necessary first. There was concern expressed regarding the need for screens in Suisun Marsh, yet lack of funding provided by CALFED or CVPIA to date relative to Sacramento and San Joaquin systems, and issues regarding mitigation responsibilities.

B1004. Red Bluff Diversion Dam. Tehama-Colusa Canal Authority. There was concern whether other studies already done. Several member commented how they were supportive of TCCA getting proactively involved.

B1005. Guadalupe River. One member felt this project had a tenuous biological connection to the Bay-Delta system, but he generally supports peripheral geographical areas for study (e.g., above dams). Another member felt it was not too tenuous a connection, considering the species involved.

B1007. ACID. This is the second phase of a project with CVPIA. One member requested a fuller picture of the project history, who funded other phases, overall cost, etc.

B1009. Cosumnes fish barriers. Rhoads noted that this proposal addressed smaller diversions on the Cosumnes that are barriers in some years. No other comments.

B1014 and B1015. Boeger and Hastings. These projects were recommended for additional phases of funding, although planning is not yet complete. Rhoads noted that the IP felt they were high priority sites, and that an adequate plan would be forthcoming. One member was concerned that the IP recommended construction funding without planning complete. He suggested putting a constraint on the funding that planning be completed prior to construction funds being released.

B1016. City of Sacramento Fish Screen, Phase 2. Already have CVPIA funding. The cost sharing issue was raised again. It was noted that the budget and cost sharing need to be clarified for this proposal.

B1017. American Basin, feasibility and design. 50% of project cost requested. No comments.

Lunchbreak at 12:45. Adjourned until 1:15p.m.

C. Floodplain Management/Habitat Restoration

This topic area was oriented toward easements, floodplain habitat after 1997 floods, and NRCS related projects.

C1003. Grayson River Ranch (Tuolumne). This proposal was recommended by the IP from the TRP B-List.

C1004. Hill Slough. No comments.

C1006. The recommended funding was a small part of a much larger proposal. TRP recommended to fund only the initial research phase, as later tasks depend on the outcome. The land is already in public ownership. One member was very supportive, but expressed frustration that it wasn't going forward

more quickly. It was suggested to ask the Department of Fish and Game for more information about this project and how to get things going.

C1008. Nelson Slough. There was a question regarding a statement in Executive Summary about coordination with "willing landowners." Is there County support or local sensitivity to the proposal? One member questioned the reasonableness of time frame for the work that is proposed. There was also limited information on the size of the area. One member felt the information in the executive summary is inadequate and the timeline proposed seems unreasonable. Others agreed, but given its location on public lands, felt the concerns may not be as serious as elsewhere. Others expressed concern regarding inadequate executive summary details.

C1009. Merced River. One member asked about the expected (engineered) life of the project, and its potential for future flood damage. How realistic is the proposal? One member noted that it seemed like a pretty small stretch of stream for the amount of money requested. The total cost is \$5.6 million, with \$2.5 million requested from CALFED. IP felt that full funding should be provided, unlike TRP, since this was a high priority action and there was interest in not recommending a piecemeal funding approach. TRP had recommended funding just the planning phase.

C1010. Stone Lakes. Requested acquisition of 2 properties, TRP recommended funding for one of them. There was a question on the overall plan in the northern part of the Delta to provide a context for evaluation. The question was raised whether it is appropriate for CALFED funding versus normal appropriations process. A concern is the use of CALFED funding for this project creating conflicts with congressional representatives that would have opposed it under the normal appropriations process.

One member recommended more IP and even applicant participation in a future Roundtable meeting, given the nature of the discussion.

C1016. Petaluma Marsh. North Bay. 181 acres. TRP and IP in agreement. No project specific comments.

A general concern was noted regarding inadequate comments put in the box in the summary table, despite other backup material that is available.

C1017. South Napa. TRP supported one land acquisition as part of the proposal. One member questioned whether CALFED funding is a more expensive portion of the overall plan than other responsible agencies. More information was requested regarding total project cost and cost-sharing opportunities. The fact that the proposal was only 10% funded will mean cost share is required.

C1024. Lower Clear Creek. Previous phases have been funded. IP recommended funding more phases than TRP. One member indicated that there is good local support.

C1025. Fern-Headreach. Several members noted financial concerns regarding public agency buying easements in these types of transactions. The Roundtable felt CALFED should ensure that easement be enforceable and that they don't "pay for the project twice."

C1026. Benicia Marsh. No comments.

C1028. Sacramento River floodplain acquisition. Concern was expressed regarding the use of conservation easements versus fee title on the Sacramento River. Historical evidence was cited that

easements are not well utilized or maintained, and may be less reliable conservation vehicle.

C1032. Cosumnes. TRP recommended lower acreage purchase and IP concurred. No comments.

C1033. Deer and Mill Creeks. One member raised the question about whether NRCS had completed environmental assessment and asked who holds the title. It was noted that conservation easements in this area may not have same problems as Sacramento mainstem; would he feel more comfortable if public agencies were holding the conservation easement, as opposed to local conservancies.

C1038. Lower San Joaquin. Would have like to seen more information on the extent of local support.

C1042. North Bay restoration. This was the better of two similar proposals. One member was concerned regarding the "fragment" verbiage in proposal and regarding the ability to effectively manage/monitor these. Rather than fragments, they may actually be "remnants." There was concern with the cost relative to the size of what they are monitoring.

C1044. South Napa. North Bay. This proposal has both an interpretive and restoration component. There was concern whether a breach in the levee would be repaired given that the breach is the only connection to the bay. Could this become a "stranded" asset? If connected to the bay permanently, one member would be supportive of the proposal.

C1046. Butte Creek Riparian. Strong local support was cited. No other comments.

D. Sediment Management

No funding recommended for this topic area. Only one proposal was recommended by TRP but the IP felt that proposal needed better local coordination and that the results of the initial phase of the project need to be evaluated.

E. Fish Harvest Management Tools

No funding recommended for this topic area. Only one proposal was recommended by TRP and the IP felt it didn't address the criteria in the Proposal Solicitation Package. The Integration Panel recommended developing a more focused solicitation on fish harvest management tools, and ensuring that it gets distributed to a broader audience including the marine fisheries management community.

F. Species Life History

This topic area contains few policy issues. The Roundtable decided against a proposal by proposal discussion of these.

G. Local Watershed Stewardship

This topic area received 55 proposals. Not all the proposals were discussed individually by Roundtable.

G1015. Cottonwood Creek. There was a question about whether the local group is incorporated, or organized with a legitimate structure. This is a fairly new group.

G1016. Not funded. Upper Trinity watershed. IP did not recommend funding. There was some concern on why this project was not recommended for funding. It was noted that the project was located in the Trinity watershed above the reservoir, and that the connection to Central Valley was rather remote. One member disagreed with the IP conclusion.

G1018. Battle Creek. Concern was raised about funding noxious weed elements. Darling It was

indicated that this task was probably one of those that were omitted in the TRP/IP recommendation. There was also discussion of "shaded fuel breaks" and appropriateness of this type of effort.

G1023. San Jose. One member wanted to see evidence of local support. Panel discussion revealed that there was more local support than evident in proposal.

G1029. General comment: not enough projects were funded above dams. One member cited a "caste system" of above versus below dam projects that has been instituted by CALFED. The MOU among participants was positive.

G1031. A question was raised as to why this proposal was not recommended for funding. One reason, besides limited funding, was that the local involvement commitment was unclear.

H. Environmental Education

IP accepted both the A and B lists recommendations of the TRP. The IP funded virtually all the proposals that had technical scores of 40 or over. No other comments.

I. Small Screen Evaluation

Two projects were recommended for funding under this topic area. Some concern was raised regarding the scientific rationale of I1000, a barge simulation proposal. It was explained that the barge proposal was an attempt to surmount problems with getting cooperation from diverters to conduct on-site tests. Dan Castleberry noted that the IP was interested in I1000 as a test of a new tool for evaluating diversions. Some felt it would be easier to just sample behind the diversions, but Castleberry stated that this is not always possible due to landowner constraints. It was noted that landowners are reluctant to allow any government agency to test their diversions.

General comments on PSP proposal review by Roundtable

- The amount of information provided to Roundtable for making \$25 million worth of decisions was inadequate, and time to discuss it was too short.
- The Roundtable needs more information on the proposals. A few lines of TRP and IP comments are not sufficient, although there is a lot of confidence in the IP.
- Have TRP and IP highlight for the Roundtable potential policy level issues where variable scope and budget could be considered.

Cindy Darling summarized comments on changes to the process for next time:

- 1) Provide more information on proposals,
- 2) Conduct more of a workshop format for Roundtable review,
- 3) Have applicants provide more detailed specifics in the Executive Summary (e.g., acreages, etc.),
- 4) Provide more criteria and information on local support.

The rest of the agenda was postponed.

Next Roundtable meeting, Monday, 21 September, 9:30 - 3:30. Future meeting dates will be set at that time.

There is a CVPIA meeting re: FY '99 plan on September 23, 1998.