

Agenda Item 7

**Evaluating Milestones and EWA
Progress: Fulfilling a ROD Commitment**

CALFED Regulatory Compliance for Covered Species

- Programmatic Record of Decision and Attachments
 - Conservation Agreement Regarding Multi-Species Conservation Strategy (Attachment 5)
 - Includes regulatory commitments for Delta exports
 - Programmatic Endangered Species Act Section 7 Biological Opinions
 - U.S. Fish and Wildlife Service (Attachment 6A)
 - NOAA Fisheries (Attachment 6B)
 - Natural Community Conservation Plan Determination (Attachment 7)

Conservation Agreement Regarding MSCS

- Includes program-level regulatory commitments for Delta exports
 - No reductions in CVP and SWP exports beyond those required under the Regulatory Baseline, provided conditions are met
 - Reinitiation required to extend commitments beyond September 30, 2004

Reinitiation of Consultation

- Purpose to evaluate efficacy of the EWA and progress toward achieving the Milestones
- Expected to result in supplemental Biological Opinions
- Allows Conservation Agreement to be amended to extend program-level commitments, consistent with supplemental Biological Opinions

Milestones

- Developed to ensure that implementation of the Ecosystem Restoration Program, Water Quality Program, and MSCS was sufficient to sustain compliance for all CALFED program elements.
- Regulatory agencies recognized it would be premature to evaluate recovery after 4 years.

Reinitiation Summary

- Purpose is only to assess efficacy of the EWA and progress towards achieving milestones during first four years of Stage 1
- No new action is proposed
- All federal CALFED agencies are co-leads
- State applicants under the Resources Agency include Fish and Game, Water Resources, the Reclamation Board, and California Bay-Delta Authority

Reinitiation Package

- Contains an assessment of the first three years of implementing the short-term EWA
- Reviews CALFED actions (primarily ERP) regarding contributions towards the Milestones
- Describes progress, status, and lists possible next steps for each Milestone
- Will be available for input soon

Reinitiation Findings

- EWA reduced effects of water export on Delta fish while protecting State and Federal projects from supply impacts
- EWA can be improved with:
 - reliable funding for long-term contracts
 - storage and conveyance capacity
 - science and monitoring commitments
- 70% of Milestones on or ahead of schedule
- 20% of Milestones need additional evaluation (mostly water quality, complex and need intensive review)
- Progress sufficient to renew program-level regulatory commitments