

Ecosystem Restoration Subcommittee Meeting
Thursday, April 15, 2004
650 Capitol Mall, 5th Floor, Bay-Delta Room
Sacramento, CA
Draft Meeting Summary

Subcommittee members (or their alternates) and agency liaisons present:

Gary Bobker (TBI)	Diana Jacobs (CDFG)
David Harlow (USFWS)	Mike Aceituno (NOAA Fisheries)
Diane Buzzard (USBR)	Steve Evans (FOR)
Lisa Holm (CCWD)	Lloyd Fryer (KCWA)
Doug Lovell (FFF)	Serge Birk (CVPWA)
Todd Manley (NCWA)	

Introductions and Subcommittee Status

The meeting began with introductions. The summary of the previous meeting was approved after some changes were made.

Integration Matrix

Gary Bobker noted that few people had submitted any comments about the draft matrix. He suggested that a more efficient method of completing the draft could be to have one more ad hoc committee meeting out of which would come a process paper. Lisa Holm agreed to schedule an ad hoc committee meeting, and the revised information will be presented at the next subcommittee hearing. Dan Castleberry told the subcommittee that the ERP Science Board (ERPSB) is looking at the draft matrix and will discuss it at their May meeting. **Task:** Lisa will set up another ad hoc committee meeting.

Delta Regional Ecosystem Restoration Implementation Plan (DRERIP) Update

Marina Brand and Lauren Hastings presented an updated schedule and detailed information about the science input process for DRERIP. A handout of their presentation was available at the meeting.

Marina said the DRERIP is a refinement of the existing planning foundation for Delta restoration actions and is intended to provide implementation guidance, program tracking, and performance evaluation and adaptive management feedback.

A review of the science input process and the three core groups involved in that effort. The core groups are: the species experts, who are developing species conceptual models; Action Teams, who are developing ecosystem element models and are vetting all previously-identified Delta actions; and the Adaptive Management Planning Team (AMPT), which is providing overall guidance and direction to the science-input process, including refining the ERPSB-generated vetting process and developing the prioritization process for the DRERIP.

CDFG prepared draft life cycle models for 71 “R,” “r,” some “m” and representative harvestable species in the Delta. These life cycle models will be provided to species experts who will convert them to species life history models, which will be reviewed by other species experts. The species life history models will include information about critical habitats, processes and stressors as well as identify areas of scientific uncertainty.

There are two Action Teams, one focusing on habitats and one focusing on stressors; ecological processes experts will be added to each of those teams. The Action Teams will develop the ecosystem element conceptual models that will include information about Delta ecosystem processes, habitats, and stressors. The ERPSB will review these models. In response to Doug Lovell’s questions, Lauren explained that items such as direct losses (diversions) or harvest fall under the stressors category. Lauren told the subcommittee that a complete list of stressors can be found in the Ecosystem Restoration Program Plan (ERPP) Volume 1 of the Programmatic EIS/EIR (July 2000).

Lauren defined vetting as the scientific evaluation of all actions listed in the planning documents for the Delta. The ERPSB developed the vetting process; since then the AMPT has tried it out and realized that some refinement is needed. The AMPT will present their ideas at the May ERPSB meeting; Denise Reed is on the AMPT and as a member of the ERPSB, also serves as the AMPT liaison. The Authority’s Independent Science Board (ISB) will peer review the vetting process.

After vetting and refining actions, the Action Teams, augmented with additional members knowledgeable of engineering and local feasibility issues, will look at the feasibility of the actions. After the feasibility review, actions will be prioritized by the AMPT, using the prioritization process developed by the AMPT and reviewed by the Authority’s ISB.

Lauren referred the subcommittee to the DRERIP Science Input Process Map handout, which summarizes the process and includes a draft process and schedule graphic, a draft outline of the DRERIP contents, a copy of the Independent Peer Review Strategy, and a list of species for which the life history models will be prepared including non-native invasive species, which are in the stressor eco-element category. Lauren noted that the revised schedule indicates a delay in completing the DRERIP, partly due to the budget issues that have

affected staffing levels and contracting ability; there is a need for more staff to be assigned to this task.

Lloyd Fryer asked what work was being done on the other three plans. Dan explained that much of the work on DRERIP will be used in the other three plans; the anticipated outcome is that the other plans will be developed more quickly because of the work done on DRERIP. For example, many of the actions that will be vetted under DRERIP are also associated with other regions. Diana Jacobs stated that the implementation plan for the Suisun Marsh is taking place parallel to DRERIP and that a lot of foundational work has been completed when the ERP was written.

Gary summarized by saying that given the budget and staffing limit, staff cannot firmly state what's going to happen with the other plans. Discussion next turned to how high the in ERP's priority was completing the DRERIP? Dan explained that it was one of ERP's highest priorities, but some items have hard statutory or regulatory deadlines—such as the milestones assessment effort—and staff have been pulled from DRERIP and other activities to help with these efforts.

Doug asked about the progress of the species conceptual models and whether they were available for review and stakeholder input. Marina explained that she hoped the species expert development of the splittail life history conceptual model would be completed by the end of April. Once this model is reviewed, it will likely be the first one made public, and may serve as the example for developing other life history models. Lauren told the subcommittee that the splittail white paper would be published in the next issue of the online San Francisco Bay-Delta Science Consortium online journal (<http://repositories.cdlib.org/jmie/sfews/>). In response to Serge Birk's questions, Lauren said that white paper information will be incorporated into the conceptual models. DRERIP preparers will keep in contact with the South Delta improvements group and other technical groups working in the Delta. Serge asked if any fish facility people are on the Action Teams, and Lauren said that was a good suggestion.

Steve Evans asked Diana if she thought the Sacramento Valley implementation plan was politically infeasible to complete. Diana said the plan was not politically infeasible; it's just that the Implementing Agencies are swamped and there is a lot going on, such as the Sacramento River Flow Regime workgroup's technical report which is scheduled to be released soon. Gary expressed his surprise regarding the release of the report, since both he and Steve are on the group and they had not seen or heard anything about that. Diana suggested that the Sacramento River Flow Studies be placed on the subcommittee's May agenda.

Gary stated his concern that there is a disconnection within CALFED when the Delta Improvements Package can be completed this year, but DRERIP will not be completed until next year. He stated this is a serious issue for the CALFED Program, and questioned why ecosystem planning is not in sync with the other

Program elements. Diana said there is an existing Ecosystem Restoration Program Plan—that the Program is not starting from scratch. She stated that there is ERP guidance to other Program elements and there is science behind that guidance. Gary acknowledged that some coordination is happening, but reiterated his concern that in the long-term, CALFED Programs needed to get their schedules in sync. He gave the example that as CALFED completes storage studies; it ought to be completing the ERP planning at the same time. Gary said that this topic was appropriate for management and policy makers to discuss regarding how resources are allocated to complete the regional planning efforts in sync with the milestones assessment.

Lloyd agreed with Gary's observation, and said that there is potential for ROD commitments to be delayed. He said that money and time has been spent on ecosystem actions that do not all fit neatly into the existing plan, and more input is needed to direct and prioritize ERP's future actions.

Dan explained that ERP has a robust planning foundation, and using the principles of adaptive management, likely will find that some of the actions were not the right or most effective things to do; that's why there is a need for additional regional planning efforts like DRERIP. The expectation is that the refined regional plan will continued to be refined through the adaptive management process.

Gary concluded the DRERIP discussion by observing that DRERIP is a successful pathway and the process is both transparent and well reviewed. He appreciated the use of science to propose a set of actions, but the core issues of feasibility and prioritization are yet to come. He asked DRERIP staff to provide the subcommittee with updates earlier in respective tasks rather than at the end of a task.

Milestones Review and Science Integration Update

Dave Harlow provided brief background regarding the CALFED ROD requirement to complete an analysis the ERP milestones and efficacy of the Environmental Water Account (EWA) by September 30, 2004. This evaluation will provide a basis for Implementing Agencies decisions regarding EWA, the remaining Stage 1 actions and if the Program is progressing adequately to meet Endangered Species Act compliance.

The evaluation of the 119 milestones is approximately 6-8 weeks behind schedule, both because the task is larger than originally anticipated and there is not enough people to assign to the task.

Dave Zezulak explained how CDFG and BDA staff were evaluating awarded ERP contracts and how those applied to meeting the 119 milestones and draft Stage 1 implementation plan. Field confirmation of each contract—and there are

more than 400 of them—is time consuming. Office review is completed for the Bay/Marsh region, the Sacramento region is nearly complete, and will be followed by the Delta and San Joaquin regions. Dan added that Duncan Patton, of the ERPSB, was working with the milestones evaluation team to determine the most effective way of getting ERPSB review of the forthcoming report.

Serge asked how this evaluation will affect the decision to fund the EWA. Dave explained that the evaluation is for Stage 1, and the review of the efficacy of EWA is part of the Implementing Agencies' decision about how to move forward in the rest of Stage 1. The ROD required an evaluation in the fourth year of Stage 1; a long-term EWA is a separate issue. Serge asked if that meant there was still a commitment to fund a short-term EWA; Dave replied that funding is a concern because all programs are running short. Serge asked what the appropriate forum would be to get the EWA funding question answered; Diana suggested it may be the full BDPAC or water supply subcommittee, or possibly in comments regarding the finance option report due out on April 26.

Gary observed that one result of the milestones review will be a better articulation of how to measure or assess Stage 1 success in terms of environmental management. He noted that the EWA slips through the cracks because no subcommittee really deals with it—it is somewhat of a stand alone program—and he suggested that the subcommittee consider having periodic briefings and discussions of EWA-related issues while not adopting the EWA. Many of the successes ERP is having in planning, adaptive management, and planning processes need to be applied to EWA.

At Gary's request, Dan moved the discussion to the ERPSB update. The Science Board is scheduled to meet May 5 and 6, and the public session of the meeting is set for the morning of May 6. The ERPSB has been working on the vetting process, looking at "big picture" simulation models, and focusing on developing recommendations to the Program and carrying those recommendations to the full Authority ISB to provide tools for future planning for the CALFED Program as a whole and ERP in particular. After the May meeting the ERPSB will go on a summer hiatus until fall, however, it is possible to invite the co-chairs to discuss ERPSB at a future subcommittee meeting.

ERP Multi-Year Program Plan

Nancy Ullrey (ERP) handed out copies of the latest version of the ERP Years 5-8 Multi-Year Program Plan (MYPP). She received comments from Bernice Sullivan and Lloyd Fryer of the subcommittee as well as from the Working Landscapes and Environmental Justice subcommittees, the ERPSB, and Implementing Agency and Authority staff. She said that there were four main themes in the comments: (1) the structure and format of the document was not useful and questioned whether or not the MYPP was a planning document; (2) questioned how effective planning could be without a budget; (3) articulated the need for

more information about the milestones assessment and how the results of that effort could affect ERP planning and future Proposal Solicitations; and (4) articulated a need for more information or a better description of what ERP means by adaptive management.

Nancy spoke briefly about where major changes could be found and what they were. These included adding information regarding completed projects under the Accomplishments Section, adding the Working Landscapes and Environmental Justice subcommittees in the Program Structure section, and new information regarding ERPSB's recommendation for improving the science foundation of ERP. Nancy told the subcommittee that the revised schedule has the program plans being approved by the Authority in August 2004, after the budget is due; however, there was still a need for the subcommittee to write and submit recommendation regarding the ERP MYPP to BDPAC for its May meeting. The co-chairs of each subcommittee were scheduled to present these recommendations to BDPAC at that time.

Given the revised schedule, Gary voiced his reluctance to have the subcommittee write recommendations for the May BDPAC meeting, but that the subcommittee can work on a letter to go before BDPAC if it meets in July. As the subcommittee co-chair, he will verbally address the subcommittee's issues at the May meeting and tell BDPAC that a more detailed letter will follow. **Task:** subcommittee members will submit their comments regarding BDPAC recommendations to the subcommittee reflector and Nancy and Dan will provide copies of these at the next meeting.

Several subcommittee members questioned why the Red Bluff Diversion Dam was not in the MYPP; Diana thought it appropriate to discuss in the subcommittee but was not sure it needed to be in the MYPP. Todd Manley (NCWA) mentioned that it was not in the draft Stage 1 implementation plan, and should have been but was overlooked; he also noted that it was unlikely that the draft Stage 1 implementation plan would be revised and that the Proposal Solicitation Process served as a refinement that draft plan. The issues raised from this discussion included: (1) that ERP's regional planning process needs to be in sync with the other major CALFED regional activities and program initiatives; (2) the ERP is currently running out of money after Year 5 and decisions need to be made regarding options such as user fees, state and federal funds because if the ERP is unfunded that puts the permit assurances at risk; and (3) in general, the MYPP needs to be more useful and actually set out some priorities, and needs to reflect more of the decision issues that impact the program.

Frank's Tract Update

Curt Schmuttee and Chris Enright from DWR and Jon Burau from USGS gave a presentation about current efforts regarding Frank's Tract. Curt is the levee

system integrity program manager for CALFED. Curt began the presentation with a brief history of Frank's Tract, which has been flooded since 1938.

The CALFED Conveyance Program currently is evaluating potential options for modifications. The ERP funded the *Feasibility of Ecosystem and Water Quality Benefits Associated with Restoration of Frank's Tract, Big Break, and Lower Sherman Lake* from its 2001 PSP. Curt informed the subcommittee that the contracts to conduct the study were signed in early April 2004 and the feasibility report is scheduled to be finished in one year. In addition to the feasibility report, another ERP-funded project, *Transport, Transformation and Effects of Selenium and Carbon in the Delta: Implications for ERP*, provided for data collection that are now being used in the hydrodynamic evaluation of Frank's Tract.

Curt said that initial modeling results by DWR showed potential benefits in salinity reductions in the Delta by changing hydrodynamics in Frank's Tract. Some possible actions on Frank's Tract are: levee repairs, tide gates adaptively managed, recreational enhancements, long-term re-establishment of tidal marsh and habitat levees (not traditional levees). There is also potential to integrate projects for salinity, sediment, fish passage (predation), biological processes, recreation, and operational flexibility at export facilities.

Current efforts regarding Frank's Tract include refining objectives and constraints, developing conceptual models, coordinating agency and public outreach, completing baseline modeling and hydrologic models, refining conceptual alternatives, developing preliminary cost estimates, developing monitoring and adaptive management plans, and completing the feasibility report. Diana asked what assurances people would have that the Frank's Tract investigations would receive the same ERP-level of review. Curt replied that past experience, such as that with the North Delta Program, was one assurance; another was that his program was working with ERP staff. Diana said it is unclear whether ERP gets an early review of Frank's Tract to ask questions of the investigations; Dan suggested that the ERPSB and Authority ISB be brought in to provide advice and Curt agreed.

Chris' presentation had to do with the technical aspects of the estuary's geometry and how hydrodynamics and levee breaches affect those processes. The "take home message" is that the Delta is a complex geometric object and that small changes can have a big affect. There is a need to understand the process and the modeling is less about what would happen but "why" it happens.

Jon's presentation was of the current 2D modeling effort. For example, the modeling showed that building tide gates along False River appears to improve water quality and lessen carbon loading at Frank's Tract. Steve asked if there was a way to characterize how much water quality would be improved and Jon said there would be once the model is finished being validated.

Serge asked about the funding. Curt explained that the ERP money is for one year for the feasibility study; the money from the Conveyance Program would be for three years, but his program does not have it yet, however, it is in the governor's budget.

Serge next asked what the implications for management were; does the modeling suggest a compromise to greater flows from upstream reservoirs? Jon said that Frank's Tract takes advantage of tidal flows, and it appears that management would not have to manipulate upstream flows or reduce pumping to achieve the improvements. Curt said that Frank's Tract is a big carbon sink and the Delta is one of the most carbon-starved estuaries and there may be an opportunity to turn Frank's Tract into a net carbon producer rather than a net user; however, the conflict is that while carbon is good for the estuary it is not good for exporters. What followed was a brief discussion of what sorts of modeling may happen next: carbon modeling, transport modeling or phytoplankton growth.

Doug asked about stakeholder involvement. Curt replied that Frank's Tract is on the ground floor and they have yet to hold any workshops or hearings. Doug asked if Curt planned on forming a stakeholder workgroup; Curt replied that early public involvement is key to the success of a project.

Ecosystem Restoration Program Status Report

Battle Creek Update

Dan said that there was not much more to add to the Battle Creek discussion since the last meeting: still on the existing timeline and the biological analyses were being prepared for review. Rebecca Fris would discuss interim products at the next Battle Creek Working Group meeting (April 19) in Red Bluff. The revised Adaptive Management Plan is available on the ERP website (http://calwater.ca.gov/Programs/EcosystemRestoration/BattleCreek/BattleCreek_AdaptiveManagementPlan.pdf).

Serge asked about the status of the selection panel. Dan said the selection panel has not met and are not scheduled to meet until after the technical panel reviewed the proposal. Serge asked if the selection panel will review the 5 dam or the 8 dam alternative, and Dan said the selection panel will review whatever is presented before them and his understanding was that is the 5 dam or MOU Alternative. Doug said that he disagreed with the idea that the Battle Creek discussion is effectively over, and he would like to see the topic higher on the agenda because of the substantial technical disagreement between the California Hydropower Reform Coalition's (CHRC) and DFG's biological analysis of the 8 dam scenario. Doug expressed his concern that management decisions are being passed off as technical decisions, and expressed his hope that this is

not the case. Since Battle Creek is under the microscope, is high profile and may have ramifications past it, he said, he wanted to see it thoroughly vetted and a reconciliation between the scientific opinions.

Serge asked about PG&E's position; Dan said that PG&E has put it in writing that it will go with the MOU project or nothing. Steve mentioned that the CHRC biological analysis was on its website (<http://www.calhrc.org/battlecreek.htm>) and the CHRC analysis shows more biological value for every metric, although some may disagree as to if it is significant or not. Steve echoed Doug's comment that he hopes the peer review committee will look at both sides of the issue and respond to the agency's response.

Public Comments

There were no public comments.

Next Meetings

The subcommittee scheduled its next meeting for Thursday May 20; future meetings are also scheduled for June 17; and July 15, 2004. Meetings will be held 9 a.m. to 1 p.m. in the Delta Room at 650 Capital Mall.

Agenda topics for the May 20 meeting include the Multi-Year Program Plan, Sacramento River Flow Studies, DRERIP, EWA and Battle Creek.

Handouts: The following handouts were available at the April 15 meeting: Agenda; March meeting summary; the April version of the ERP Multi-Year Program Plan; draft DRERIP Science Input Process Map with attachments and a printout of the PowerPoint presentation.