

File No.: 15-0533

Agenda Date: 11/10/2015

Item No.: *4.2

SUPPLEMENTAL BOARD AGENDA MEMORANDUM

SUBJECT:

Supplemental - Quarterly Update on the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) Process

REASON FOR SUPPLEMENTAL MEMORANDUM:

To provide the Board with an update of the efforts to develop a FAHCE Modeling Study Plan as directed by the Board during the October 13, 2015 Board Meeting.

RECOMMENDATION:

- A. Discuss the status of the FAHCE Settlement Agreement (Settlement Agreement) - Fish Habitat Restoration Plan, and of the water rights change petition process.
- *B. Extend the schedule to complete the Fish Habitat Restoration Plan and Environmental Impact Report (EIR) to December 31, 2016 to accommodate implementation of the FAHCE Modeling Study Plan, which was developed per the request of the Guadalupe - Coyote Resource Conservation District (GCRCD).
- *C. Direct staff to: 1) modify the existing environmental consulting agreement scope of services with HDR, Engineering, Inc. to support the additional services needed to implement the FAHCE Modeling Study Plan; and 2) allocate existing funds from the FAHCE project budget to support the legal services agreement for consulting services from water resources modeling expert, Dr. David Purkey of Stockholm Environment Institute.

SUMMARY:

***Next Steps**

Per the direction received from the Board, staff has met several times with the Technical Committee, comprised of staff and experts from the FAHCE Settlement Agreement initialing parties, to develop a FAHCE Modeling Study Plan. The FAHCE Modeling Study Plan defines the tasks and schedule to analyze and potentially modify the analytical methodology and modeling used in the administrative draft of the FAHCE Environmental Impact Report. Tasks include refinement of the temperature and flow analyses to evaluate the deployment of the proposed reservoir reoperation rule curves to

document their benefit on salmonid habitat needs. At the meeting with the policy representatives of the initialing parties held on November 5, 2015, the representatives agreed with the tasks in the FAHCE Modeling Study Plan and understood the schedule implications. Their main concern was that the extension of the FAHCE Project schedule delays implementation of fish habitat improvements that they believe should be commenced during the one-year implementation period of the FAHCE Modeling Study Plan. District staff agreed that any early implementation and additional commitments would have to be discussed further, although elements such as development of the Adaptive Management Program and interim flow agreements for reservoir operations for the next year could be supported.

FINANCIAL IMPACT:

The estimated projected cost of this additional work is \$560,000. Modifying the scope of the existing HDR contract to move funds in the amount of \$260,000 from the preparation of a federal NEPA document to CEQA tasks will support the needed analysis. The remaining \$300,000 needed to support Water Evaluation and Planning model analyses can be funded through the existing budget originally slated for state and federal staff support. This support has been declined by the agencies.

CEQA:

No changes to CEQA from the original memo.

ATTACHMENTS:

*Attachment 1: FAHCE Water Rights Petition Schedule

UNCLASSIFIED MANAGER:

Frank Maitski, 408-630-2284