

Alameda Creek Fisheries Restoration Workgroup
Programmatic EIR Subgroup

Minutes of Meeting

December 1, 2003

Alameda County Public Works Agency

Attendees

Rick Baker	ACPWA
Gordon Becker	CEMAR
Brenda Buxton	State Coastal Conservancy
Eric Cartwright	ACWD
Elena Eger	State Coastal Conservancy
Andy Gunther	CEMAR
Dave Houts	Zone 7 Water Agency
Laura Kilgour	ACFCWCD
Josh Milstein	SFPUC
Carla Schulteis	ACFCWCD

Agenda Items

Stakeholder audit. Andy Gunther reviewed the rationale for conducting a “stakeholder audit” wherein stakeholders are asked to define their organizations’ goals for the Alameda Creek steelhead restoration program. Andy noted that an audit offers the opportunity to define Workgroup members’ vision of a “restored” watershed, which will clarify conflicting goals that must be addressed in the various components of a steelhead restoration plan. The results of the audit could be integrated into a revised goals and objectives section of the *Restoration Action Plan* (RAP) or other planning document. The audit also provides valuable information for planning a monitoring program to track restoration progress.

Programmatic EIR background and purpose. Josh Milstein told the group that the SFPUC is in the process of developing a contract for an EIR to address projects contained in the Capital Improvement Program (CIP). Josh expressed his desire to have the issue of “fish flows” addressed as soon as possible so that the EIR can include analysis of the environmental effects of future water management practices. Josh stated that the Workgroup’s RAP could provide a good foundation for water supply planning, particularly if the goals and objectives contained in the RAP were revisited as part of proposed revisions to the document.

Josh introduced the concept of developing a Joint Powers Authority (JPA) to implement the restoration process in the future. The JPA likely would consist of ACFCWCD, ACWD, EBRPD, SFPUC and Zone 7 Water Agency. He cited the Santa Clara Valley Water District’s FAHCE

program as a model for developing long-term restoration goals and the commitments necessary to reach them.

Rick Baker responded to the JPA concept with several questions relating to logistics. He asked the group to consider what planning document the JPA would be tasked with implementing, as well as what agency would conduct and certify environmental review of JPA-related activities. In the ensuing discussion, various concepts were “floated” for how the steelhead restoration program might proceed. Rick summarized these ideas in a flow chart that appears as the last page of the minutes of this meeting. The approach summarized in the flow chart uses the RAP as the basis for developing a Master Plan that could be the subject of environmental review. The Master Plan and its EIR would be certified by the JPA.

Restoration Action Plan and environmental review. Gordon Becker stated his belief that the RAP’s most significant missing element is the flows component. Additional proposed changes to the RAP consist largely of updating information regarding habitat availability, funding opportunities, plans to conduct an In-migrant Study, and implementation timing. Gordon also suggested that many projects described in the RAP have environmental review processes that are underway (e.g., Niles and Sunol Dam removals) or that are unlikely to be avoided through pursuing a Programmatic EIR for steelhead restoration (e.g., §1135 Process projects).

ACWD staff noted that the agency’s goal is to have the flows component of the steelhead restoration program defined so that water supply impacts can be evaluated and mitigated. In particular, ACWD seeks answers to the questions of how much water will need to be passed through the flood control channel, what the source of the water will be, and when it will be needed. The ability of the district to maintain summer diversions is of key importance in order to prevent saltwater intrusion into the aquifer.

Josh Milstein re-iterated the desirability of having known, fixed water supply requirements for restoration from the perspective of the water supply agencies. He mentioned the possibility of developing an interim operations plan for SFPUC water management in the Alameda Creek watershed in the context of developing the water supply component of the steelhead restoration program. The first of several possible “flows” subgroup meetings was conducted on December 12th, with the express purpose of defining, based upon best available biological information, the basic in-stream water requirements that will allow steelhead to complete their life cycle in the watershed.

Scope of work for steelhead planning. Carla Schulteis stated that work on both developing flows recommendations and programmatic planning (including the stakeholder audit) would benefit all members of the Workgroup, and therefore should be supported through funding mechanisms other than the ACFCWCD contract with CEMAR for steelhead restoration support. Josh Milstein said that SFPUC management is likely to support additional tasks necessary to advance these processes. Brenda Buxton noted that the Conservancy also may be able to contribute to additional studies or other needed work, particularly if projects are identified and proposed before June 2004.

The group agreed that a valuable first step in joint planning process would be to integrate information about flows, and the results of a stakeholder audit, into an expanded version of the RAP. This expanded plan would also include recent findings from the PUC's ongoing fisheries investigations, as well as the information on historical status of steelhead in the watershed recently compiled and published by CEMAR. CEMAR staff will develop a scope of work for this effort to distribute to Workgroup members for review.

In summary, the subgroup recommended an "incremental approach" which would include:

- a stakeholder audit (resulting in written agreed-upon goals)
- flows discussions (resulting in an MOU or implementation arrangement)
- a Master Plan (including all steelhead related restoration activities)
- environmental review, as required, likely via a programmatic EIR conducted by the Joint Powers Authority