

**Alameda Creek Fisheries Work Group
Flows Subcommittee**

October 25, 2007 10 AM – 1:15 PM

Operations Conference Room
Alameda County Water District
Fremont, CA

Meeting Summary

Attending:

Brenda Buxton, Coastal Conservancy
Jeff Miller, Alameda Creek Alliance
Andy Gunther, Center for Ecosystem Management and Restoration
David Houts, Zone 7 Water Agency
Brian Sak, San Francisco Public Utilities Commission
David Harlow, San Francisco Public Utilities Commission
Eric Cartwright, Alameda County Water District
Tim Ramirez, San Francisco Public Utilities Commission
Stuart Moock, representing Pacific Gas & Electric Company
Jessie Schwartz, Jones & Stokes, representing San Francisco PUC
Dan Wilson, Department of Fish and Game
Mary Selkirk, Center for Collaborative Policy
Thomas Niesar, Alameda County Water District

1. Announcements, review agenda

Jeff Miller noted that the Alameda Creek Alliance issued a press release regarding the dPEIR released by the SFPUC. Jeff also noted that he and Pete Alexander were completing a draft letter to NMFS describing a proposal for fish transport and monitoring using fish captured and tagged at the BART weir. Jeff indicated this would be circulated for review by Work Group members.

Tim noted that the draft EIR for Calaveras Dam rebuild will be issued soon, possibly by late November. He did not know if the dEIR for Calaveras would reflect any comments delivered on the draft Programmatic EIR.

2. Program Manager's Report

Andy noted that he had received only one set of comments on the last draft of the Phase 1 report from McBain & Trush (from ACWD). Andy suggested these comments be included in a last draft and that the scope of work be considered completed. Jeff Miller noted he had delivered comments directly to McBain & Trush.

Dan Wilson indicated that DFG will likely be providing additional comments, and Eric said that Gary Stern told him that comments will also be forthcoming from NMFS. It is expected both of these comments will be available by November 9. Andy indicated the consultants have already prepared three versions of the document, and given the likelihood of discussion of agency comments by Subcommittee members the consultants will have a hard time finalizing the document. This is also a problem as ACWD is still withholding payment of the final invoice pending “completion” of the project.

It was agreed that if agency comments were easy to address, McBain & Trush would be asked to incorporate these changes along with the comments from ACWD and the Alliance. If addressing comments requires significant additional work, a contract modification will be negotiated with McBain & Trush to complete the final revisions, as it is important to address DFG and NMFS concerns in the document.

3. Update on Fish Passage Projects

Eric noted that the fish screens at the upper inflatable dam have been installed, and just some electrical work remains before they are activated. Plans are underway to remove the lower inflatable dam next summer, install screens on the Bunting Pond diversion in 2009, and final design of the vertical slot fishway at the BART weir will begin soon. It is not yet clear how the fishway at the upper inflatable dam will be included in this process. While CEQA frowns on “piecemeal” approach to projects, construction will have to be phased as ACWD cannot have both the middle and upper dams out of operation at the same time.

4. Application of Information Generated by Flow Studies

Discussion then turned to the implication of comments on the draft Programmatic EIR for Phase 2 of the flow studies. Tim noted that the PUC has suggested linking flow studies to development of the watershed HCP because it will be easy to integrate the results from multiple studies into this document and that the HCP can address operations of multiple facilities in a single place.

Jeff Miller stated a view shared by many that the draft Programmatic EIR, by not considering steelhead restoration, makes the PUC’s commitment to restoring steelhead unclear. Dan Wilson noted that given the schedule for passage projects in the watershed, he believed that it is “reasonably foreseeable” that steelhead will be in the watershed and impacted by the PUC program. Eric Cartwright noted that it is unclear how the PUC would be part of a Section 7 consultation on the BART weir project, raising questions about whether the PUC’s major dams in the watershed would be used to provide any portion of passage flows in the flood control channel.

Tim responded that it is the PUC’s intention to work on restoring steelhead (he indicated the word “speculative” in the EIR was meant to convey uncertainty about *when* restoration would be attempted, not *if* it would be attempted). Tim requested that those

concerned provide some guidance to the PUC about what could be included in a revised PEIR that would provide appropriate assurances regarding steelhead restoration.

Jeff suggested that, while everybody acknowledges more work needs to be done to identify a precise water release schedule to support restoration (*i.e.*, Phase 2 of the MOU), some sort of “placeholder” should be included in the EIR that provides clear evidence of the PUC’s commitment to provide water for instream uses.

A small group agreed to work with the PUC to see if language can be drafted to address this issue.

5. Phase 2 Work Elements

Andy presented a possible list of priority actions for Phase 2 that he received from Scott McBain. Given the shortness of time, it was agreed that Andy would circulate the list for comment as a word document, including space for subcommittee members to add descriptions of ongoing work that might address the item (either directly or with some changes). Brenda noted that since wetland restoration actions that address Alameda Creek are not likely to move forward soon, the recommended task “Coordinate estuary restoration” is probably not a high priority at this time.

It was also noted that the top item on the list (select field methodology for habitat-streamflows) is a very important issue that should be discussed ASAP by the subcommittee. Tim suggested that since the PUC is working on this topic in the Toulumne (as was noted by McBain & Trush), PUC consultants could present their methods and lead a discussion on this issue at the next subcommittee meeting.

6. Next meetings

It was agreed that a teleconference will be held on November 16 at 10 AM, with the primary purpose of considering how to complete the Phase 1 report in light of the agency comments expected on November 9.

The next meeting of the subcommittee will follow the meeting of the full workgroup on December 6 at Zone 7.

7. Adjourn

The meeting was adjourned at 1:20.