

Alameda Creek Fisheries Restoration Workgroup

Minutes of Meeting

January 7, 2003

Alameda County Public Works Agency

Attendees

Pete Alexander	EBRPD
Gary Stern	NOAA Fisheries
Jeff Hagar	Hagar Environmental Sciences
Brenda Buxton	State Coastal Conservancy
Chris Gray	Supervisor Haggerty's Office
Andy Gunther	CEMAR
Craig Hill	ACWD
Jim Horen	Zone 7
Laura Kilgour	ACFCWCD
Mary Lim	Zone 7
Jeff Miller	ACA
Josh Milstein	SFPUC
Stuart Moock	PG&E
Anna Roche	SFPUC
Brian Sak	SFPUC
Ralph Johnson	ACFCWCD
Richard Wetzig	ACFCWCD

Announcements. Jeff Miller announced that a steelhead was seen jumping on the BART weir on New Year's day. He (and Gary Stern) requested that an item be added to the agenda to discuss what can be done to implement an interim restoration program before passage projects are complete. Andy noted that CEMAR is presently doing an upgrade to its web site, including the Alameda Creek pages, and he encouraged work group members to provide suggestions for improvements to the site. Jeff Hagar announced that the long awaited report from Dr. Jennifer Nielsen of USGS on the genetics of trout in the Alameda Creek watershed will be available soon, and Andy agreed to distribute it to the work group when it is available.

Updates

§1135Process. Laura Kilgour reported that she still expects to receive a draft of the Program Management Plan (PMP) from the Corps of Engineers on January 14. This is likely to be an internal draft for review, and several work group members expressed an interest in reviewing this document as soon as the Corps can make it available.

SFPUC Activities. Josh Milstein reported that the SFPUC is working on the schedule for their Capital Improvement Program (CIP), which will include many actions in the Alameda Creek watershed. He verified that Calaveras Dam will have to be replaced, and they are developing the preliminary geotechnical and engineering studies now. The PUC has hired URS Corporation to assist them with an analysis required by the Clean Water Act regarding how conservation and water recycling activities could be used to reduce the size of the new reservoir, and this analysis is expected to be complete by the end of the summer. The lower level of the reservoir has brought an

infrequently used diversion structure into use, and the PUC is discussing with the Department of Fish and Game about the need to upgrade the fish screen on this diversion structure.

The Prop. 13 grant for matching funds to remove Niles and Sunol Dams was approved, and planning for this project is proceeding. The high flows due to recent storms has delayed the acquisition of sediment samples for chemical analysis, which is the next step in the process of planning for sediment removal.

Re-graded Channel Alternative Study. Andy Gunther reported that CEMAR and the Coastal Conservancy are finalizing the scope of work for the study, which is expected to get underway in late January and take about six months to complete. The Coastal Conservancy has agreed to make \$5,000 available to CH2MHill to assist CEMAR in assessing the water supply impacts of the alternative.

DFG Grant. Andy also reported that CEMAR expects to hear any day regarding the grant proposal to DFG to continue the coordination of work group activities. The review committee has completed its work and forwarded recommendations to the Director's office. While DFG staff thinks we put in a strong proposal, the present budget climate in Sacramento makes any funding decisions very uncertain.

Zone 7 Update. Jim Horen reported that Chuck Hanson gave a presentation to the Zone 7 board on steelhead in the Zone 7 service area on December 18th, and there was useful public comments delivered by Jeff Miller and others. The Zone 7 Board certified a mitigated negative declaration for their proposed projects in Arroyo Mocho and Arroyo Las Positas. Gary Stern indicated that he had been working with Zone 7 on the proposed mitigation for these projects. The projects as presently planned will resolve two fish passage problems in the area, and the proposed diversion will have a fish screen.

Jeff Hagar reported that the Lawrence Livermore National Laboratory has hired an engineering firm to plan the replacement of their road crossing of Arroyo Mocho with a bridge. If this project goes forward as planned this summer it will eliminate the uppermost barrier to the high quality habitat in Arroyo Mocho Canyon.

Agenda Items

Discussion of SFPUC Habitat Conservation Plan. Josh Milstein and Anna Roche led a discussion of the Scope of Work prepared by Jones and Stokes, Inc., for the development of a Habitat Conservation Plan (HCP) for the Alameda Creek watershed. The purpose of an HCP is to establish appropriate mitigation for activities so that it is clear how claims of incidental take can be avoided. Josh indicated that the present HCP is limited just to SFPUC projects and lands (and presently does not include the replacement of Calaveras Dam), but that this might be expanded if it seems appropriate. There was extensive discussion regarding what the appropriate boundaries for the HCP might be, how long it might take to prepare an expanded plan (the limited version would likely take 3 years to develop), and whether this is preferable to implementing ESA review through Section 7 consultations. Gary Stern indicated that NOAA Fisheries has much more extensive experience with Section 7 consultations and thus probably prefer that process. Josh pointed out that there are several terrestrial ESA issues that have been raised by the US Fish and Wildlife Service that will also need to be addressed.

The general consensus of the group was that it would be appropriate for the PAC to develop a coordinated strategy for planning, permitting, and operating projects impacting Alameda Creek and the restoration of steelhead. It is clear that there are alternative paths for this process, and it makes

sense to have the senior agency staff first identify a process that best suits their needs, and then have the regulatory agencies review the proposal. Such a reviewed proposal could then be brought to the work group for further comment.

Discussion of PAC policies. Josh reported that he had received only a few comments on the PAC policies, and these were all positive. Once the PAC “adopts” the policies, he will transmit them to CEMAR for posting on the web site.

Discussion of possible CALTRANS grant proposal. Andy stated that Steve Rothert had spoken to Eric Schmidt at NOAA-Santa Rosa about the Bay Bridge mitigation funds for South Bay steelhead. Mr. Schmidt indicated that we should not expect the RFP to come out before March, meaning the deadline will not be before June. The grant administration MOU between NOAA and the National Fish and Wildlife Foundation has not yet been finalized so it has not begun its 2 month journey through NOAA-Commerce approval chains. Andy indicated that work group members (at PAC members) should begin to consider a compelling manner for presenting their organization’s financial commitment to passage projects. The CALTRANS grant will require a local match, and the more support we can show for the work in the Alameda Creek watershed the better chance we have of receiving funding.

Discussion of interim plans for restoration of steelhead run. Jeff Miller opened the discussion by indicating that it seems clear the implementation of passage projects is going to take longer than anybody originally anticipated. Evidence presently suggests that there is still a small remnant of the original steelhead run in the watershed, and he expressed concern that this could be lost while we grind through the details of implementing restoration projects. This year there are no plans to relocate or “trap and haul” fish, although the ACWD continues to operate the middle inflatable dam to prevent stranding of adults. While these fish may return to the Bay, there is some evidence that they spawn in the flood control channel below the weir where there is no chance of successful hatching and rearing.

Gary Stern echoed Jeff’s concerns, suggesting that it would be appropriate to consider some type of interim restoration program during the period of planning, permitting, and constructing passage facilities. Such a program might have a scientific component in which adult fish are tagged and released in various parts of the watershed and tracked to test passage. Josh pointed out, and Gary concurred, that such a program had significant potential for exposing water agencies to claims of take associated with their operations, especially in the case of smolts.

It was decided to reconvene the supplementation work group to discuss this issue further and see if a consensus could be developed for certain aspects of an interim program. Andy agreed to circulate a brief invitation to the supplementation work group and other work group member who are interested to find a day for meeting.

Gary Stern requested that a roster of work group members with the basic contact information be prepared and distributed. Andy agreed to develop a spreadsheet with the information for those who regularly attend work group meetings.

Next Workgroup Meeting. The next meeting of the Workgroup is scheduled for Wednesday, March, 5, 2003. Tom Taylor will hopefully be able to make a presentation about habitat in the watershed, and Chuck Hanson will present his recent work for Zone 7. Workgroup members are invited to submit additional agenda topics to CEMAR for inclusion in the agenda, which will be circulated prior to the meeting.