

Summary of Cape Mohican Trustee Council Meeting: 2/22/01

Location and Attendance

The meeting was held at the State Department of Parks and Recreation office in Novato. The following primary and alternate members of the Trustee Council were present: Tammy Whittington and Mary Gibson Scott (National Park Service), John Tarpley (California Department of Fish and Game), Dan Welsh and Marge Kolar (U.S. Fish and Wildlife Service), Katherine Pease (National Oceanic and Atmospheric Administration), and Nick Franco (California Department of Parks and Recreation). Also present were attorneys Chuck McKinley (Department of the Interior) Kathy Verrue-Slater (California Department of Fish and Game) and Kolleen Bannon (National Oceanic and Atmospheric Administration).

Administrative Issues

Tammy distributed a copy of the contact list and asked participants to indicate any changes in their contact information. Tammy will edit and distribute the revised list.

Tammy distributed a handout summarizing the amounts of money that each agency on the Trustee Council received for restoration planning and Trustee Council participation last year. Each agency is to determine whether or not it will need more money this year. The deadline to notify Tammy of any needed allocations is March 8.

John confirmed that Fish and Game has been reimbursed for the cost of the newspaper advertisements for the public scoping meeting.

A final summary of the February 2000 meeting was reviewed and approved.

Preparation of the Administrative Record

Tammy has begun assembling an administrative record for the restoration planning effort and will prepare a list of relevant documents that have been generated since the first Trustee Council meeting (September 1998). Dan will review the documents in the Fish and Wildlife Service's files for relevant documents that were prepared prior to the first Trustee Council meeting, so that these documents can also be included in the administrative record. Copies of any relevant documents should be sent to Tammy within 2 to 3 weeks.

Katherine noted that restoration plans and administrative records for several NRDA cases are available over the internet at www.darcnw.noaa.gov. Participants can review the administrative records for other cases to get a better idea of the type of documents that belong in an administrative record.

Discussion of the Draft Restoration Plan/EA

Tammy thanked everyone for their detailed comments on the draft and agreed that it needs a substantial amount of work before it will be an acceptable product. Because of the problems with quality and timing of the current draft, recent invoices from the contractor (Harding ESE, formerly called Harding- Lawson) have not been paid. Tammy met with the contractor

yesterday and discussed the problems with the document. The contractor indicated that it has hired a new biologist (Mr. Don Kane) who can complete a draft that meets the 90% complete standard within 4 weeks, ~~with no cost overruns~~. Tammy clarified for the Council that 90% complete means that all sections would be complete, with no placeholders or sections to be completed later. After reviewing Mr. Kane's qualifications, the Council agreed to the extension of the deadline, noting that this is the contractor's last chance to produce an acceptable product. Tammy will get the contractor to confirm in writing that they will complete an acceptable final draft within 4 weeks ~~with no cost overruns~~. Tammy will also notify the contractor in writing that they will not be paid for time their staff spent on the task prior to today's date, except for the invoice that has already been paid by the National Park Service. The due date for completion of the draft is March 27. Council members agreed to review the draft and distribute their comments to other members prior to the next Trustee Council meeting.

In order to obtain updated and complete information on each potential project, the contractor will need to contact agency personnel identified as contact points for each proposal. John passed out an update of the herring spawning enhancement project prepared by the Port of San Francisco. Other agencies should be prepared to update their project descriptions and budgets as necessary when contacted by the contractor.

The concept of narrowing down the list of preferred projects was discussed. Dan and Marge said that the Restoration Plan may be confusing to the public because it will identify more preferred projects than we have money to fund. After discussion of this issue, it was agreed that all of the projects currently identified as preferred will remain in that category until a final Restoration Plan that addresses public comments is prepared. The draft Restoration Plan will explain that funding partnerships are being sought to reduce the Council's share of the costs of the preferred projects, and that, if necessary, the number of preferred projects will be reduced based on the Council's evaluation criteria. Participants were asked to review this section of the Plan carefully to make sure that it will be clear to the public.

Status of Red Rock Appraisal

John confirmed that the Wildlife Conservation Board has completed a preliminary appraisal of the Red Rock property. The cost of the appraisal was \$17,000. The appraiser could not find comparable properties (i.e., islands) that have been purchased recently in the San Francisco Bay area, so used purchase prices for islands in other states as a basis for the appraisal. Due in part to concern that the preliminary appraisal does not include any local properties as comparables, the appraisal has not been certified by the State Office of General Services. John also mentioned that the Audubon Society may be interested in paying for the acquisition if funds for operation and maintenance can be provided by the Council or other partners.

Next Meeting

The next Trustee Council meeting will be on April 12 at the Fish and Game office in Cordelia. The purpose of the meeting will be to review the Administrative Record, discuss comments on the final draft of the Restoration Plan with the contractor, and to begin planning for public participation in reviewing the draft Restoration Plan.