To: CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]
Cc: CN=Tom Hagler/OU=R9/O=USEPA/C=US@EPA[]
From: CN=Bruce Herbold/OU=R9/O=USEPA/C=US
Sent: Thur 9/8/2011 12:00:02 AM
Subject: Re: Fw: EA

I am torn about my major reaction to the charge. when I was given the EA to review it was preceded by a clear statement of the intent, for the various laws, of what it was to achieve. This lacks that guidance, which might be appropriate if the judgement of adequacy is a governmental determination that the expert panel cannot weigh in on without violating FACA. But absent that, I would prefer to tell them what ESA, NCCP, and the Delta Reform Act require and ask them yes/no questions about whether it is up to the task or not.

E.g. rather than:
1. How well are the goals and objectives of the Foundation and Framework defined and described?
Are the goals and objectives defined adequately for the needs of an HCP and NCCP?

2. How well will the Foundation and Framework, as designed, meet its major goals?
Will this document likely lead to an adequate analysis for the determination of effects required under ESA?

3. How effectively does the Foundation and Framework describe the ecological context of the BDCP?
I don't even know what this one means.

4. Are the Foundation and Framework internally consistent and scientifically valid?
Here's a simple yes/no and a valuable answer to get. A model for questions that will get useful results.

5. How well does the Foundation and Framework provide an approach for analyzing the effects of BDCP?
Does the Foundation and Framework provide an adequate approach for analyzing the effects of BDCP?
Are the effects of factors outside of the BDCP adequately encompassed to allow determination of the likely fates of the target species?

etc. etc.

Otherwise I imagine many of the answers being of limited utility -- "It does pretty well here and not so well there and it is unclear how the balance of strong and weak elements will play out for the regulators who need to make their determinations"
Read the rest of the "How well" questions below and imagine the nature of the likely response. I fear we will not get our money's worth from the expert panel by asking them to grade rather than to pass/fail the document's parts. Such an approach leads directly to exact statements of what would be required to 'fix' it rather than to simply 'improve' it.

those are my thoughts,

Mr. Crabby

6. Does the Foundation and Framework adequately describe how quantitative and conceptual models will be used? Is the approach integrated, reasonable and scientifically defensible?
7. How well is the approach to analyze individual conservation measures as well as the cumulative

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impacts of a comprehensive strategy described?
8. How well does the proposed Framework integrate analysis at various spatial and temporal scales?
9. How well does the Foundation and Framework articulate how best available science will be defined, assembled, summarized and integrated into the analysis?
10. How clearly does the Foundation and Framework identify baseline(s) or other reference points (e.g., goals and objectives) for the effects analysis?
11. How well does the Foundation and Framework describe how uncertainty will be addressed? How could it be improved?
12. How well does the Foundation and Framework describe how adaptive management and the associated monitoring program will be incorporated into the BDCP to improve conservation measures and modify water operations?
13. Does the Foundation and Framework describe the appropriate suite of models that should be used?
14. How well does the Foundation and Framework describe how conflicting model results and analyses will be interpreted in the technical appendices?
15. How complete is the Foundation and Framework; how clearly is it described?
16. How well are the methods described to synthesize effects at the species, population, and ecosystem levels? (Note: The description of the "roll-up" methods may not be included in the Framework in time for this review.)

From: Karen Schwinn/R9/USEPA/US
To: Tom Hagler/R9/USEPA/US@EPA, Bruce Herbold/R9/USEPA/US@EPA
Date: 09/07/2011 12:35 PM
Subject: Fw: EA

Keep this internal and let me know soon if you have any input.

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KAREN SCHWINN
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----- Forwarded by Karen Schwinn/R9/USEPA/US on 09/07/2011 12:34 PM -----

From: "Barajas, Federico" <FBarajas@usbr.gov>
To: Karen Schwinn/R9/USEPA/US@EPA
Cc: "Nawi, David" <David_Nawi@ios.doi.gov>
Date: 09/07/2011 12:33 PM
Subject: RE: EA

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Hi Karen,
Here it is. Please note that the attached is an internal working draft. Thanks, FB

-----Original Message-----
From: Schwinn.Karen@epamail.epa.gov [mailto:Schwinn.Karen@epamail.epa.gov]
Sent: Wednesday, September 07, 2011 10:00 AM
To: Barajas, Federico
Subject: EA

Federico -

Can I see the charge to the Independent Science Board on the EA review?
Thanks. - Karen
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[attachment "Draft Charge - Effects Analysis Framework 09-06-11.docx" deleted by Bruce Herbold/R9/USEPA/US]

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