

# RECLAMATION

*Managing Water in the West*

## Remand Update

January 16, 2014



U.S. Department of the Interior  
Bureau of Reclamation

# Meeting Guidelines

- Q&A following each section of the agenda
- Basic respect for presenters and meeting participants
- Out of room by 2:45 pm due to another meeting
- Please help us to stay on topic and on schedule today

# Agenda

- **Background**
- **Status of Collaborative Adaptive Management Team (CAMT) of the Collaborative Science Adaptive Management Program (CSAMP)**
- **Status of National Environmental Policy Act (NEPA)**
- **Status of Endangered Species Act (ESA)**

# Background

- August 2008: Reclamation submitted Revised Biological Assessment on the Coordinated Operations of the Central Valley Project (CVP) and State Water Project (SWP)
- December 2008: FWS Issued Biological Opinion (BO)
- June 2009: NMFS Issued BO
- Nov. 2009-Sept. 2011: BOs were Remanded and Reclamation ordered to complete NEPA on implementation of Reasonable & Prudent Alternatives (RPAs)
- December 2012 and March 2013: Joint Motion filed to extend Remand schedule
- April 9, 2013: Court ordered extension based upon CSAMP forming and developing key questions and experimental designs

# Remand - Court-ordered Deadlines (as of April 9, 2013)

- **U.S. Fish and Wildlife Service (FWS) BO**
  - Dec. 1, 2014 - FWS issues Final BO
  - Dec. 1, 2014 - Reclamation issues Final EIS
- **National Marine Fisheries Service (NMFS) BO**
  - Oct. 1, 2015 - NMFS issues Draft BO
  - Apr. 1, 2016 - Reclamation issues Draft EIS
  - Feb. 1, 2017 - NMFS issues Final BO
  - Feb. 1, 2017 - Reclamation issues Final EIS
  - Apr. 29, 2017 - Reclamation signs Record Of Determination (ROD)

# **Collaborative Adaptive Management Team (CAMT)**

**CAMT Co-chairs:**

**Leo Winternitz, The Nature Conservancy**

**Valerie Connor, State and Federal  
Contractors Water Agency**

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# CSAMP and CAMT

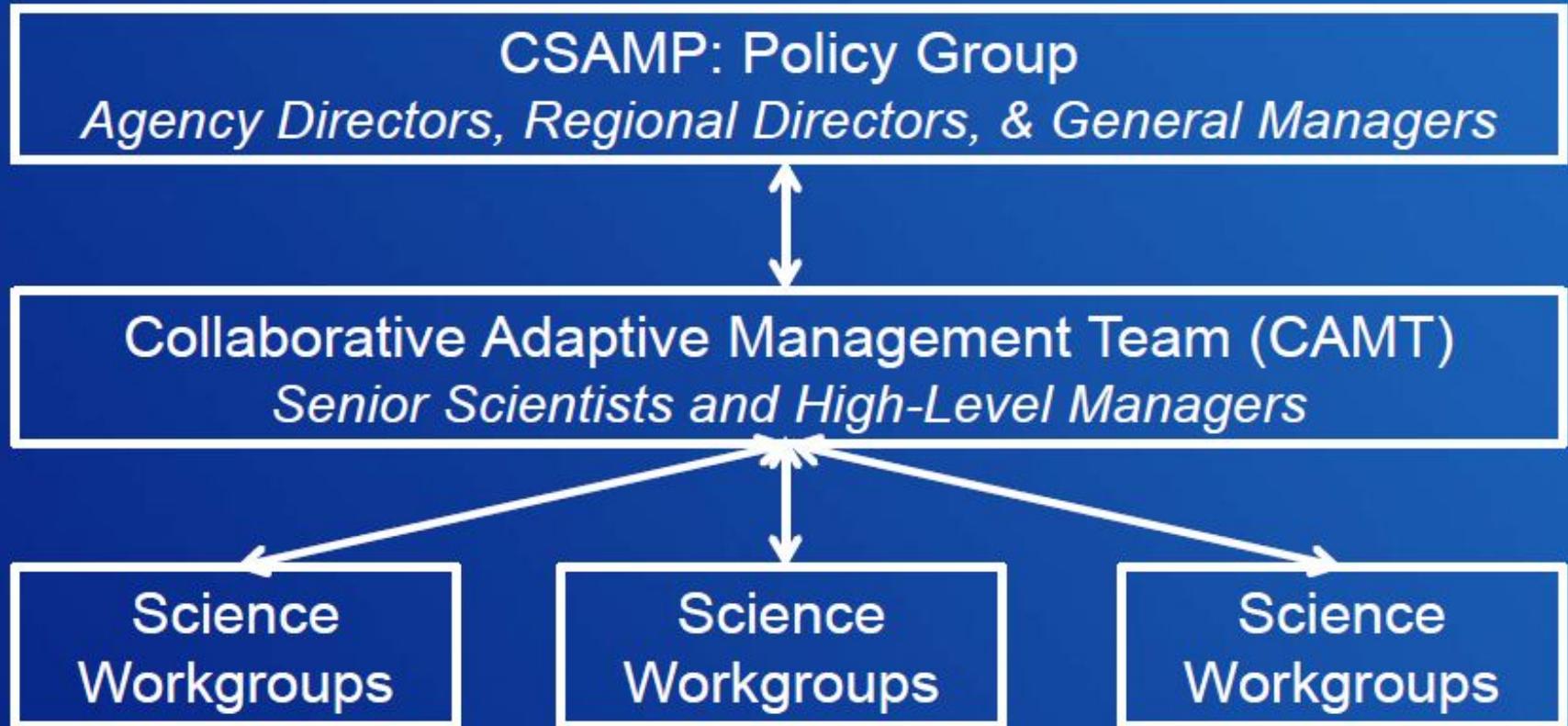
- Collaborative Science and Adaptive Management Program (CSAMP)
- Collaborative Adaptive Management Team (CAMT)
- *Mission:* *The Collaborative Adaptive Management Team (CAMT) will work, with a sense of urgency, to develop a robust science and adaptive management program that will inform both the implementation of the current Biological Opinions, including interim\* operations; and the development of revised Biological Opinion*
- The term “interim” refers to the period during which revised Biological Opinions are being developed.

# Court Order (Doc. 1106)

## Section II.B.1.a. General Description of the CSAMP Process

*“... The stated goal of the CSAMP is to develop a robust science and adaptive management program, with collaboration of the scientists and experts from Public Water Agencies (PWAs) and the NGO community, that will inform the development and implementation of the BOs, [the Bay Delta Conservation Program (“BDCP”)], and other programs.”*

# CSAMP Process



# CSAMP Policy Group

- Jim Beck (KCWA)
- Thomas Birmingham (Westlands)
- Chuck Bonham (CDFW)
- Mark Cowin (DWR)
- Zeke Grader (GGSA)
- Ren Lohofener (FWS)
- Jeffrey Kightlinger (MWD)
- David Murillo (Reclamation)
- Dick Pool (Water4Fish)
- Kate Poole (NRDC)
- Will Stelle (NOAA)
- Bill Phillimore (Coalition for a Sustainable Delta)
- Jay Ziegler (TNC)
- CAMT co-chairs to provide policy-science interface

# CAMT Members

- Gary Bobker (Bay Institute)
- Frances Brewster (SCVWD)
- Mike Chotkowski (FWS)
- Valerie Connor (SFCWA and Co-chair)
- Susan Fry (Reclamation)
- Lauren Hastings (Delta Science Program)
- Steve Lindley (NOAA)
- Laura King Moon (DWR)
- Ron Milligan (Reclamation)
- Anke Mueller-Solger (IEP)
- Maria Rea (NOAA)
- Carl Wilcox (CDFW)
- Leo Winternitz (TNC and Co-Chair)

# Proposed Phases

<b>CSAMP Phases</b>			
<b>Phase</b>	<b>Duration</b>	<b>Milestone Start</b>	<b>Milestone Finish</b>
<b>1. Initial Extension</b>	<b>9 Months</b>	<b>Court Order (4/9/2013)</b>	<b>Joint Status Report Submittal (2/15/2014)</b>
<b>2. Interim Operations and Completion of Revised BOs</b>	<b>2 yrs (smelt) 5 yrs (salmon)</b>	<b>Court decision(s) on further extensions</b>	<b>Completion of revised BOs</b>
<b>3. Operations according to revised BOs</b>	<b>Long-Term</b>	<b>Acceptance of Revised BOs</b>	<b>On-going, with collaborative science and adaptive management milestones</b>

# CSAMP/CAMT Initial Schedule

- Define mission and operating process Fall 2013
- Define CSAMP priorities Fall 2013
- Review conceptual models Fall 2013
- Develop key questions/hypotheses Fall 2013
- Develop CSAMP work plans for 2014-2016 Dec. 2013
- Prepare Progress Report February 2014
- Submit Joint Status Report to Court February 15, 2014

# Progress to Date

- **4 areas of focus; 3 initial areas**
  - Fall Outflow for Delta Smelt
  - OMR Management and Entrainment
  - South Delta Salmonid Survival
  - (Ecosystem Restoration Effectiveness)
- **Identified conceptual models**
- **Identified key questions and hypothesis**
- **Beginning to develop 2014 Workplans**

# Questions?

- All CAMT agendas and minutes posted at [SFCWA.org](http://SFCWA.org)

# Status of NEPA Process

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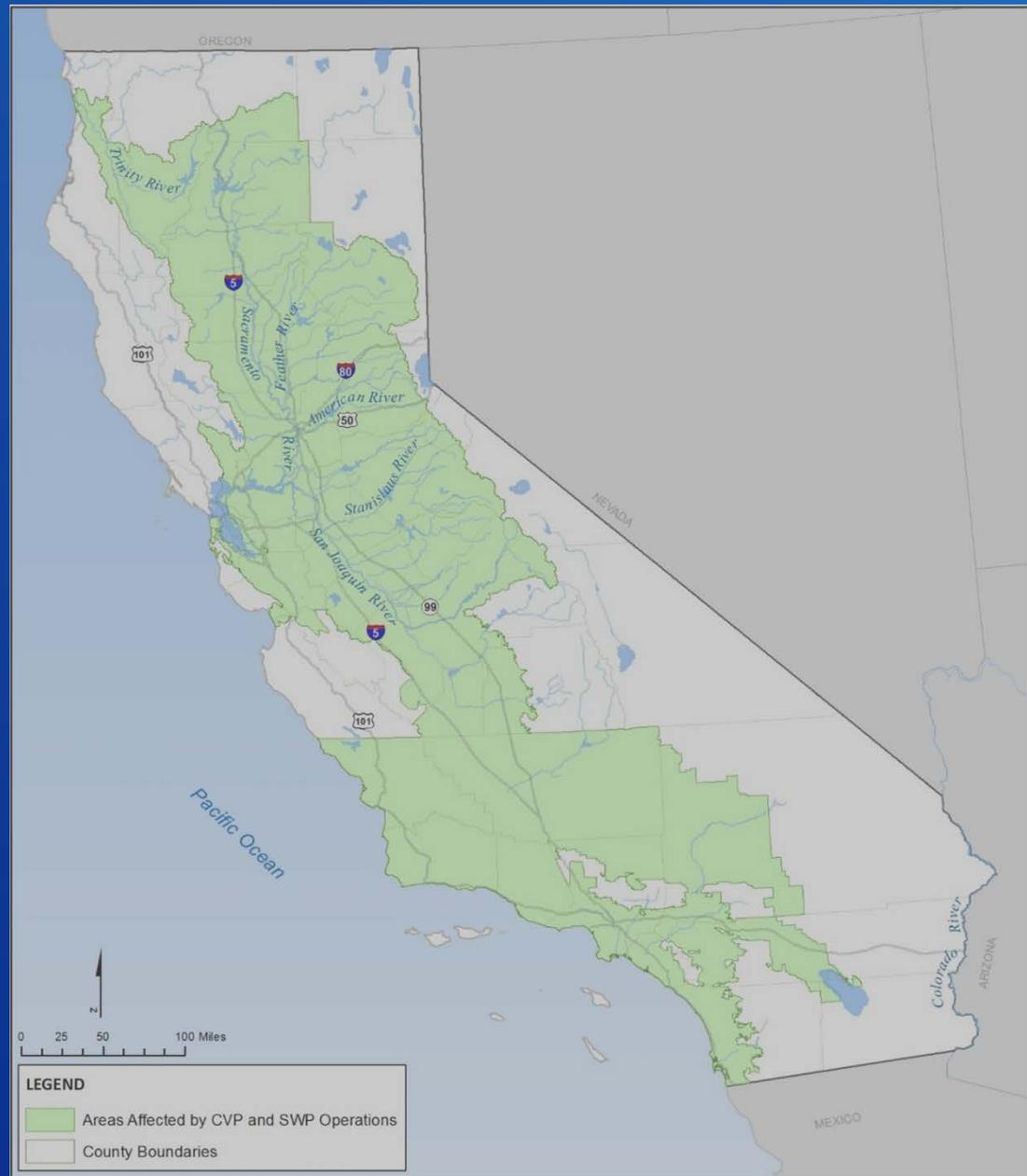
# NEPA Process Provides Information to:

- Reclamation Decision Makers
- Preparers of the ESA documentation, analyses, and findings
- Cooperating agencies that have jurisdiction by law or special expertise
- Stakeholders and interested public

# Ongoing NEPA Efforts: Background Information

- **Selection of Study Period**
  - Analyses for Year 2030 with future land use, sea level rise, climate change, and other assumptions
- **Selection of the Study Area**
  - CVP & SWP service areas
  - Portions of watersheds downstream of CVP & SWP reservoirs

# Study Area



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# Ongoing NEPA Efforts: Affected Environment

- **Preparation of Affected Environment sections**
  - Each chapter “tells the story” of changes in each resource over past ten (plus) years
  - More detailed information will be provided for specific issues - for example, water supply portfolios & economic conditions

# Ongoing NEPA Efforts: Analytical Tools

- **Water Resources**
  - CalSim II, DSM2, CVHM (groundwater), USEPA & RWQCB water quality models, temperature models
- **Biological Resources**
  - Tools - integrated to the extent needed with ESA process
- **Socioeconomics**
  - SWAP (agricultural resources), information from local UWMPs (urban water supplies), IMPLAN (regional economics)

# Ongoing NEPA Efforts: No Action Alternative

- **Continuation of existing policy and management direction in Year 2030**
  - Implementation of 2008 & 2009 BOs
  - Implementation of ongoing programs with reasonably certain, definable outcomes

# Ongoing NEPA Efforts: Second Basis of Comparison

- **Focus on conditions without BOs**
  - Does not include implementation of 2008 & 2009 BOs, except for specific programs that have been or would have been implemented without BOs
    - Such as: Red Bluff Pumping Plant, San Joaquin River Restoration Program, & Yolo Bypass Salmonid Habitat Restoration and Fish Passage

# Ongoing NEPA Efforts: Alternatives 1 & 2

- **Alternative 1: Same as Second Basis of Comparison**
  - Will be compared to the No Action Alternative
- **Alternative 2: Implement BOs without Construction Activities**
  - CVP & SWP operational criteria same as No Action Alternative under the 2008 & 2009 BOs
  - Does not include construction of future facilities
    - Wetlands restoration, fish passage improvements, temperature management
  - Will be compared to the No Action Alternative & Second Basis of Comparison

# Ongoing NEPA Efforts:

## Alternative 3

- **Alternative 3: Focus on non-operational actions**
  - Non-CVP/SWP operational actions
    - Floodplain management, fish passage improvement, predation control, water quality improvement, fish harvest management
  - CVP & SWP operational criteria similar to Second Basis of Comparison with suggested reverse flow criteria and wetlands restoration actions
- **Will be compared to the No Action Alternative & Second Basis of Comparison**
- **May include two sub-alternatives**

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# Ongoing NEPA Efforts: Alternatives 4 & 5

- **Alternative 4: Focus on increased Delta outflow and reductions in Delta reverse flows**
  - Implementation of the BOs plus:
    - Enhanced fall, winter, and spring Delta outflow
    - Delta Cross Channel operations per pilot study
    - Further reductions in Delta reverse flows in spring
  - Will be compared to the No Action Alternative & Second Basis of Comparison
- **Alternative 5: Proposed Action (to be determined)**
  - Will be compared to the No Action Alternative & Second Basis of Comparison
- **Water transfers analyzed as sub-alternatives**

# Ongoing NEPA Efforts: Environmental Consequences

- Quantitative analyses to the extent possible with existing analytical tools
- Qualitative analyses when analytical tools are not available
- Cumulative Impact assessment with future identified projects in 2030
- Mitigation measures may be identified to the extent possible

# Overall NEPA Schedule

- Preparation of Administrative Draft DEIS sections Spring 2014
- Publication of Public DEIS June 2014
- Receive Public Comments June - August 2014
- Preparation of Administrative Draft Final EIS Fall 2014
- Publication of Final EIS November 2014

# Cooperating Agencies Participation in NEPA Process

- **Cooperating Agencies will review and provide comments on individual chapters of Administrative Draft DEIS**
- **Assist in reviewing comments received on Public Draft EIS and developing responses**
- **Cooperating Agencies will review and provide comments on portions of Administrative Draft FEIS within scope of agency's expertise**

# Federal Cooperating Agencies

- U.S. Fish and Wildlife Service
- National Marine Fisheries Service
- U.S. Environmental Protection Agency
- U.S. Army Corp of Engineers
- Bureau of Indian Affairs

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# Non-Federal Cooperating Agencies

- Reclamation invited 747 non-Federal agencies (August 2012)
- 16 agencies signed Cooperating Agency MOU
  - ACFCWCD Zone 7 Water Agency
  - Ca. Department of Water Resources
  - City of Hesperia
  - East Bay Municipal Utility District
  - Glenn-Colusa Irrigation District
  - Reclamation District No. 108
  - San Juan Water District
  - Sutter Mutual Water Company
  - Anderson-Cottonwood Irrig. Dist.
  - California Valley Miwok Tribe
  - Contra Costa Water District
  - Friant Water Authority
  - Oakdale Irrigation District
  - San Diego County Water Author.
  - Stockton-East Water District
  - Tehama-Colusa Canal Authority

Questions?

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# Status of ESA Process

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# Endangered Species Act - Purpose

*“... to provide a means to conserve ecosystems upon which endangered and threatened species depend”*

# ESA Process

- **Section 7 (a)(2): – Federal Agencies, in consultation with the Services must ensure that any action they authorize, fund or carry out is not likely to jeopardize the continued existence of a listed species or result in destruction or adverse modification of critical habitat.**
  - Federal Nexus
  - Federal Agency determines effects of Action on listed species
  - Federal Agency consults with FWS/NMFS (Informal/Formal)
  - Trigger for formal consultation – Submission of Biological Assessment with “May Affect” Determination
  - FWS/NMFS writes concurrence letter or BO
  - Section 7 of ESA is different than Section 10 of ESA

# Components of a Biological Assessment

- **Action Area**
- **Proposed Action**
- **Species Accounts**
- **Environmental Baseline**
- **Effects Analysis**
  - Direct effects
  - Indirect effects
- **Effects Determination by Species**
  - No Effect
  - May Effect

# ESA Process: Ongoing Steps

- **Define the Preliminary Proposed Action** February 2014
- **Finalize List of Analytical Tools** February 2014
- **Define Basis of Comparison for Effects Analysis** February 2014
- **Prepare Draft Effects Analysis related to Listed Species** April 2014
- **Prepare Draft Biological Assessment/Consultation Package** April/May 2014
- **Submit Final Biological Assessment/Consultation Package** FWS: Aug. 2014  
NMFS: Sept. 2014

# Proposed Action

- **CVP and SWP Coordinated Long-Term Operations**
  - New Melones Reservoir Revised Plan of Operations
  - Red Bluff Pumping Plant
  - Yolo Bypass Salmonid Habitat Restoration and Fish Passage
  - 8,000 acres of habitat restoration
  - Address delta smelt habitat in the fall and entrainment issues
  - Considering opportunities to address issues for salmonids, sturgeon, and killer whale

# Effects Analysis

- **Model Runs**

- Projected Operations with no RPAs
- Projected Operations with RPAs
- Proposed Action
- Proposed Action with Climate Change

- **Analytical Tools**

- CalSim II
- DSM2
- Temperature Models
- Various Biological Models

# ESA Process: Next Steps per Court-Order

- **FWS issues Final BO**                      **December 1, 2014**
- **NMFS issues Draft BO**                      **October 1, 2015**
- **NMFS issues Final BO**                      **February 1, 2017**
- **ROD based on NMFS BO**                      **April 29, 2017**

Questions?

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# Additional Questions

Please send any questions to:

[Tolson@usbr.gov](mailto:Tolson@usbr.gov)

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