APPENDIX F

SUMMARY STATUS REPORT ON THE CONSERVATION ACTIONS INCLUDED IN THE 2000 INTERIM RENEWAL BIOLOGICAL OPINION

Appendix F. Updated Status Report on the Conservation Actions and the RPMs included in the February 29, 2000 Biological Opinion on CVP Interim Renewal Contracts.

Proposed Action/Conservation Measures	Responsibility	Due Date/ Time Period	Status/Remarks
1. Reclamation will develop and implement programs with the water districts (Districts) to ensure that land use changes associated with project water will be addressed pursuant to ESA.	FWS/USBR		
a. Notify Districts regarding ESA requirements of the Interim Opinion	FWS/USBR	Done	1a. **Completed**. Notice sent week of July 3, 2000
b. Synthesize existing and new information on distribution and potential habitat of federally listed, proposed, and candidate species within the Districts.	FWS/USBR	Ongoing	1b, c, d: **Ongoing**. Cooperative GIS teams from both agencies working on Central Valley Habitat Monitoring Program mapping efforts. Data for all CVP service areas is being made available to the Service. Data for the 2004 IRC service areas is presented in Attachment 6 of this memo.
c. Map (hard copy and digitized) habitat and potential distribution of listed, proposed, and candidate species, and provide information to the Districts, the Service and the California Department of Fish and Game.	FWS/USBR	Ongoing	c. **Ongoing.** Cooperative GIS teams from both agencies working on Central Valley Habitat Monitoring Program mapping efforts. Data for the 2004 IRC service areas is presented in Attachment 6 of this memo. Data for all CVP service areas will be made available to the CVP contractors and the California Department of Fish and Game.
d. Monitor land use changes and ongoing activities in the Districts to ensure that project water is not used in a manner that adversely affects listed, proposed, and candidate species.	FWS/USBR	Ongoing	d. **Ongoing** Cooperative GIS teams from both agencies working on Central Valley Habitat Monitoring Program mapping efforts. Landuse/landcover Trend Analysis is available. Data for the 2004 IRC service areas is presented in Attachment 6 of this memo.
2. Reclamation will ensure that its operation and maintenance activities as well as activities of other associated with the use of CVP water within the Districts will not adversely affect listed, proposed and candidate species.	FWS/USBR		
a. Work with the California Department of Pesticide Regulation to develop guidelines and information addressing the effects of the application of pesticides to listed, proposed, and candidate species.	FWS/USBR	Done	2a. **Completed**. Memo to Service documenting the pesticide information related to candidate species that Reclamation contributed to CDPR.
b. Develop and distribute to the Districts and landowners guidance on construction and maintenance activities that are most beneficial to listed, proposed, and candidate species.	FWS/USBR	Done	2b. **Completed.** Draft Field Operations Manuals, O&M Manuals, and IPMs were completed for each Reclamation Area Office and reviewed by FWS. Final Field Operations Manuals, O&M Manuals, and IPMs were sent to the Service in 2003.
c. Review water conservation plans for the Districts prior to implementation to ensure they do not adversely affect listed, proposed or candidate species.	USBR	Completed	2c. **Completed**. Completed for Reclamation Area Offices.
d. Amend the criteria for water conservation plans to ensure consistency with the ESA. 1) Status Report Update 2) Revise Criteria	USBR	Ongoing	2d. **Ongoing.** The criteria for water conservation plans are amended every 3 years, consistent with the CVPIA. The criteria were amended in 2002, so will not be amended again until 2005. Reclamation informally consults with the Service by forming an interagency team that to ensure that the criteria is in compliance with the ESA. Reclamation will sends memos to the Service and NMFS requesting their review of criteria and participation on interagency teams.

Proposed Action/Conservation Measures	Responsibility	Due Date/ Time Period	Status/Remarks
3. Reclamation, working with the Service, will implement critically needed action to assure the continued existence of listed and proposed species and their habitats that have been affected by the CVP.	FWS/USBR	Ongoing	3. **Ongoing**. CVP conservation program (CP) and b(1) other projects.
a. Identify lands that are critical to the continued survival of listed species and proposed species.	USBR	Ongoing. Continue updating	3a. **Ongoing**. Last update of high priority species provided to CP from FWS on 1/27/00. Historic trend analysis completed and mapping program discussed in 1bcd above to help identify and prioritize land for conservation easements or acquisition.
b. Implement critical needs plan.	FWS/USBR	Implementing ongoing	**3b. Ongoing**
4. Develop a long-term program to address overall effect of the CVP and implementation of the CVPIA.	FWS/USBR	Pursue adequate funding and partners	4. **Ongoing.** CVP consultations, CVP conservation program and b(1) "other" projects/programs.
Reasonable and Prudent Measures	**Responsibility**	**Due Date/Time Period**	**Status/Remarks**
I. Develop and implement programs with the Districts in Attachment 1 of this opinion to ensure that land use activities associated with project water will be addressed pursuant to the ESA.			
A. Work with CDPR to develop guidelines that provide an update on work that has been completed on this measure. In addition, provide information to CDPR generated from mapping efforts described in Conservation Measure 1(c).	FWS/USBR	Done	A. **Completed**. Memo to Service describing Reclamation's contribution of ESA information to the CDPR.
II. Identify land and water use techniques or measures within CVP service areas which are critically impacting listed and proposed species or their habitats.			
A. Prepare a study plan to identify the sources of selenium contamination in the Grasslands, San Joaquin River, and south Delta estuary.	USBR	Ongoing	A. **Ongoing**. This requirement is already handled through the existing Grassland Bypass Project (GBP) monitoring program. USGS conducted a sources of selenium study for the GBP was completed in 2003. The BA for the Delta Mendota Canal Long Term Contract Renewal, and the BA for the South Central California Area Office O&M Manual used the sources of selenium study.
B. Develop and implement an approved monitoring program to assess the effects of selenium loading within the San Joaquin River on aquatic listed species or their surrogates using the lower San Joaquin River and southern Sacramento-San Joaquin Delta.	USBR	Ongoing	B. **Initiated and ongoing**. The BA/BO Proposed Action for the Grassland Bypass Project has commitments for supporting Se studies and monitoring to assess the effects of selenium loading within the San Joaquin River on aquatic listed species or their surrogates.
C. Provide quarterly reports on locations of monitoring and monitoring results. If concentration exceeds 2 ug/1 monthly mean standard for wetland water supplies in the Grasslands, and is a result either directly or indirectly from Reclamation actions, will identify and implement corrective actions and initiate separate formal consultation.	USBR	Ongoing	C. See IIA - the reporting measure is handled with the existing GBP monitoring program and existing quarterly reports. Corrective actions were made in previous years and continue to be monitored through the GBP monitoring program, which includes Service biologists, who receive the monthly averages at the same time as Reclamation. All inlets from the Grasslands Project Area to the wetland channels have been plugged since April 21, 1998 and monthly selenium averages have only exceeded 2 ppb occasionally since then and the exceedences have been less than 1 ppb.

Reasonable and Prudent Measures	Responsibility	Due Date/ Time Period	Status/Remarks
III. Identify, analyze and compensate for past effects since 1991 for Friant and 1995 for Interim contractors. (Note: Friant is not a 2004 interim contractor)			
A. Identify and analyze the impacts of changes to contract service area boundaries since 1991 for any Friant contracts that have not undergone section 7 consultation. Fully compensate for any impacts associated with past water assignments of Interim or Friant Div. water allocations.	USBR	Prior to LTCR consultations.	A. Information and analysis ongoing, and will be presented in the BA's for Long-Term contract renewals (LTCRs). Note: Friant is not a 2004 interim contractor. All Friant contract service area boundary changes have been consulted on separately.
B. Identify and analyze the impacts of changes to contract service area boundaries since 1995 for interim contractors and provide this information and associated GIS data layers. Fully compensate for any impacts associated with past changes to contract service area boundaries for interim contracts.	USBR	Prior to LTCR consultations	B. Information and analysis ongoing. Maps for interim contract service areas are provided in Attachment 6 of this memo. Summary of changes to IRC contract service area boundaries since the 2002 consultation are presented in Attachment 2 of this memo. Additional boundary change information will be provided in BA's for Long-Term contract renewal. Analysis of impacts associated with past changes to boundaries since 1995 will be discussed in the BAs for the LTCRs. Note: Friant is not a 2004 interim contractor
C. Identify and analyze the impacts of changes in purpose of use since 1991 for Friant contractors and 1995 for Interim contractors and provide this information and analysis. Provide an analysis on how changes in purpose of use will affect shortages to districts, and how these changes in allocations will affect CVP-wide water supplies under drought conditions	USBR	Prior to LTCR consultations	C. No Change. The 1995 Interim contract renewal consultation included change of purpose of use from Agriculture to M&I. In general the Ag. shortage provisions remain even if purpose of use converted to M&I, so these changes in allocations will not affect CVP-wide supplies under drought conditions. The CVP M&I water shortage policy is currently under going NEPA and ESA review. Note: Friant is not a 2004 interim contractor
D. Identify and analyze the impacts of all water assignments executed since 1991 for Friant contractors and 1995 for interim contractors and provide this information. Fully compensate for any impacts associated with past water assignments of Interim or Friant Division water allocations.	USBR	Prior to LTCR consultations	D. Interim renewal contractors with an Assignment action are indicted in Attachment 2. There have been four assignments since the 2002 IRC consultation. Some assignments are simple name change actions, usually as a result of deaths in a family. - Assignment actions are separate discretionary actions, and not part of the proposed IRC actions included in this memo. Assignment actions are analyzed in separate NEPA and ESA documents for that action. - Note: Friant is not a 2004 interim contractor
IV. Consult on future actions including changes in purpose of use of contracts, transfers involving interim for Friant Div. contractors, assignments, and inclusions, annexations and exclusions to contract service area boundaries.	USBR	Due Date Not Applicable	IV. Will occur when applicable Note: Friant is not a 2004 interim contractor
A. Consult on future changes in water contracts from agriculture only to agriculture/M&I purposes.	USBR	Due Date Not Applicable	A. Will occur when applicable
B. Provide an analysis of how future changes in purpose of use will affect shortages to districts and how this change in allocations will affect CVP-wide water supplies under drought conditions.	USBR	Due Date Not Applicable	B. No Change. June 9, 1997 joint letter on CVPIA administrative proposal on urban water supply reliability stated that Ag. shortage provisions remain even if converted to M&I. M&I water in the districts up for renewal that are granted M&I priority has not changed since the OCAP consultation (1992). See remarks under III.C above
C. No execution of future changes in purpose of use unless it can be shown that such changes will not reduce under drought condition water supplies for proposed or listed species.	USBR	Due Date Not Applicable	C. See B above.
D. Informal consultation for assignments of interim and Friant Divisions that may affect listed species. Consult formally for those contracts or actions with direct or indirect effects that are likely to adversely affect listed species, or result in take. Consult informally if an action will not affect listed species prior to signing of the FONSI or ROD	USBR		D. Will occur when applicable. Please see remarks to III D. above. Note: Friant is not a 2004 interim contractor

Reasonable and Prudent Measures	Responsibility	Due Date/ Time Period	Status/Remarks
E. Informal consultation for inclusions or annexations involving the interim and Friant contractors in this opinion that may affect listed species. Formally consult for those inclusions with direct or indirect effects that are likely to adversely affect listed species, or result in take. Informal consultation will determine if the inclusions or annexations will not affect listed species prior to signing of the FONSI or ROD.	USBR		E. Will occur when applicable. Please see Attachment 2 for inclusion and exclusion information for these interim renewal contractors. Inclusion and Exclusion actions are separate actions, and not part of the proposed IRC actions included in this memo. Inclusion and Exclusion action are analyzed in NEPA and ESA documents on that action. Note: Friant is not a 2004 interim contractor
F. Apply specific criteria to all transfers involving interim or Friant Divisions contracts that have not already under gone section 7 consultation.	USBR		F. Will occur when applicable. Transfer approvals are separate actions, and not part of the proposed IRC actions included in this memo. Transfer actions are analyzed in NEPA and ESA documents for that action. Note: Friant is not a 2004 interim contractor
V. Develop and implement a program to compensate for losses of listed species habitat that occur as a result of delivery of CVP water to the Interim & Friant Div. Contract service area.	USBR	Pending	V. Pending. Reclamation agrees to work with the Service to develop such a contingency guideline program. This program would incorporate the following criteria: 1. Use of monitoring and mapping actions to identify land-use changes that result in losses of listed species habitat. 2. Notification to, and the education of districts about their need to comply with requirements of the Endangered Species Act. 3. Reporting to the Service of any activities that may have resulted in unauthorized losses of listed species habitat. 4. Development of habitat compensation plans for any land-use changes that result in loss of listed species resulting from Reclamation's discretionary actions. 5. Continued coordination between the Service and Reclamation to ensure existing conservation programs continue to address listed species that have been affected by use of CVP water. 6. We commit to work with the Service to develop such a program that recognizes Reclamation's authorities. Reclamation would provide a draft of such a contingency guideline program within 90 days of receipt of the biological opinion on these proposed interim contracts. Note: Friant is not a 2004 interim contractor
A. Establish a contingency plan that would develop and implement a process to identify impacts and then address those impacts to listed species or their habitats within the interim and Friant Division's contract service area that occur as a result delivering CVP water to contractors.	USBR/CONTR	Pending	A. Pending. See response to V. Note: Friant is not a 2004 interim contractor
B. Ensure implementation of the contingency plan to address impacts to species or their habitats within the interim and Friant Division's contract service area that occur without a FWS incidental take authorization.	USBR/CONTR	Pending	B. Pending. Once the contingency criteria are finalized, steps will be made to ensure that contingency plans are developed, and that all contractors are made aware of the plans. Note: Friant is not a 2004 interim contractor
C. The contingency plan for impacts to listed species or their habitat will be reviewed in a section 7 consultation with the FWS and will incorporate compensation for temporal and other habitat losses. Losses of listed species habitat within the interim and Friant contract service areas will be compensated at ratios consistent with the recovery needs for those listed species.	USBR/FWS	Pending	C. The contingency plans will be coordinated with the FWS and the appropriate Section 7 consultation will occur after finalization. Note: Friant is not a 2004 interim contractor