

Gallaudet is going to the Colorado River Water Users Association Annual Meeting on Thursday and Friday of this week. HQ requests high level updates on Section 2 and 6.

Sec. 2. Streamlining Western Water Infrastructure Regulatory Processes and Removing

Unnecessary Burdens. To address water infrastructure challenges in the western United States, the Secretary of the Interior and the Secretary of Commerce shall undertake the following actions: (Lead: NOAA Fisheries

Focus will be on these 5 specific projects:

1. Central Valley Project (MOU signed on 11/7 by DOI & DOC)

Update: The Bureau of Reclamation (Reclamation) is drafting a Biological Assessment (BA) and is directed by the President's Memo¹ to submit a final BA to NMFS on January 31, 2019. NMFS must complete a final Biological Opinion (BiOp) within 135 days after receiving the final BA. Reclamation has convened a Tiger Team of agency experts (including NMFS) to provide support on the drafting of the BA. The Tiger Team is meeting daily and NMFS is mostly engaged in working with Reclamation to clarify the Proposed Action.

2. Klamath (MOU signed on 11/7 by DOI & DOC)

Update: Reclamation is drafting a BA and is directed by the President's Memo to submit a final BA to NMFS on December 21, 2018. NMFS has agreed to complete the BiOp by April 2019. NMFS, Reclamation and U.S. Fish and Wildlife Service (USFWS) are closely coordinated in expediting this consultation process. NMFS, Reclamation, and USFWS are meeting daily and NMFS is mostly engaged in working with Reclamation to clarify the Proposed Action.

3. Yolo Bypass (NEPA, ESA and project construction/completion dates in development)

Update: This project is currently on track as described in the DOI/DOC 11/7 MOU. Reclamation submitted the BA to NMFS on 12/10/2018, and NMFS expects to complete a BiOp by April 2019. NMFS is actively engaged in project coordination meetings with Reclamation and the California State Department of Water Resources.

4. Shasta Dam Raise (NEPA dates and project completion dates in development. ESA nexus not yet determined)

Update: As currently described by Reclamation, the construction of Shasta Dam will trigger a consultation with USFWS but not NMFS because Reclamation does not expect the construction itself to have any adverse effects to species or critical habitat under NMFS' jurisdiction. Reclamation has explained to NMFS that the operational effects of the Shasta Dam Raise will be included in the Reinitiation of Consultation on the Central Valley Project (Project #1, above).

¹ Presidential Memorandum on Promoting the Reliable Supply and Deliver of Water in the West. Issued October 19, 2018.

5. San Luis reservoir (NEPA, ESA and project construction/completion dates in development)

Update: As currently understood by NMFS, there are two actions related to San Luis Reservoir, (1) B.F. Sisk Safety of Dams Raise, and (2) San Luis Low point. The B.F. Sisk Safety of Dams Raise does not include NMFS coordination because Reclamation has determined there are no adverse effects expected to species or critical habitat under NMFS' jurisdiction. Reclamation has not engaged NMFS on the San Luis Low Point project, so we are not aware of any updates to this action other than what is described in the DOI/DOC memo.

Sec. 6. Streamlining Regulatory Processes and Removing Unnecessary Burdens on the Columbia River Basin Water Infrastructure. In order to address water and hydropower operations challenges in the Columbia River Basin, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Energy, and the Assistant Secretary of the Army for Civil Works under the direction of the Secretary of the Army, shall develop a schedule to complete the Columbia River System Operations Environmental Impact Statement and the associated Biological Opinion due by 2020. The schedule shall be submitted to the Chair of the Council on Environmental Quality (CEQ) within 60 days of the date of this memorandum.

Update: The Federal action agencies have taken the lead and are currently working with CEQ to develop a final schedule. The Assistant Secretary of the Interior, Tim Petty, will be at the Colorado River Water Users Association Annual Meeting, and is the best person to respond to any inquiries on this sensitive topic.