

# Regulatory Context

- **National Environmental Policy Act**

- **Scoping Process**
  - **Notice of Intent**
  - **Public Meetings**
  - **Public Input for Alternative Development**
- **Purpose and Need**
  - **Comply with Federal Law**
  - **Enables Reclamation and DWR to satisfy contractual obligations to the fullest extent possible**
  - **Support Long-term Water Contract Renewal Process**

RECLAMATION

# Regulatory Context

- **National Environmental Policy Act**
  - **Alternative Development**
    - **No Action – Current Management Direction**
      - RPAs
      - California Water Fix?
      - Storage Projects?
    - **Alternatives**
      - Use screening tools to develop concepts to move forward
      - Evaluate RPA actions to determine the intent of each action
      - Propose alternative to RPA actions, as appropriate
      - Look at potential habitat restoration or mechanistic methods to achieve intent
      - Fresh look concept – Look at something completely different
      - Adaptive management component
    - **Number of Baselines**

RECLAMATION

# Regulatory Context

- National Environmental Policy Act
  - Impact Analysis
    - Analytical Tools
      - Peer reviewed for the most part – disclose when they have not been peer review and present results using other tools
      - Evaluate appropriate use of CALSIM III
      - Appropriate tools for groundwater analysis
      - Climate change analysis

RECLAMATION

# Regulatory Context

- **ESA Section 7 Consultation – Biological Assessment**
  - **Scope**
    - Proposed Action Area
    - Level of Analysis
    - Non Jeopardy Goal
    - Consistency with NEPA process
  - **Proposed Action**
    - Fresh look concept
    - Evaluate RPA actions to determine the intent of each action
    - Where appropriate, replace or modify RPA actions with actions that achieve the intent
  - **Environmental Baseline**
    - This should be fun!
  - **Effects Analysis**
    - **Analytical Tools**
      - Best Available Science
      - Peer Reviewed
      - Evaluate appropriate use of CALSIM III and other tools
      - Climate change analysis

RECLAMATION

# Regulatory Context

- **ESA Section 7 Consultation – Biological Opinion**
  - **Garwin please help with this one (1 to 3 slides)**
  - **Questions that you will get (based on meeting with stakeholders during water users conference) Not sure that you need to address them on your slides you may want to be ready for them**
    - likelihood a an integrated BO
    - Peer review process
    - Programmatic vs Project Specific
    - Recovery vs Jeopardy
    - NMFS RPA modification process and the ROC

RECLAMATION

# Regulatory Context

- NEPA and ESA Interplay
  - Concurrent but meaningful NEPA guidance
  - Avoid redundant process
  - Meet reasonable/aggressive schedule

RECLAMATION