

RESERVOIR COMMITTEE MEETING

NOVEMBER 19, 2020

Agenda Item 3.1:
Strategic Plan Permitting Action Plan



Overview and Key Takeaways

- Embarking on a number of key permitting activities; important that we are aligned on approach as an organization
- Permitting activities will implement a collaborative, multi-level communications/negotiations approach for the five high priority permitting processes
- Regular progress reporting to the work group and prompt escalation of issues will be implemented to ensure efforts progress

Strategic Plan – Permitting Goal



Priority Permitting Processes and Inputs

Priority Permit Processes

1. Federal ESA – Biological Assessment
2. California ESA – Incidental Take Permit applications for construction and operations
3. Clean Water Act – Sections 404 and 401 applications
4. Water Right application
5. Section 106 Consultation – Historic Preservation

Key Inputs

1. Project description and alternatives
2. Facilities design and footprints
3. Diversion criteria and operations

Permitting Objectives & Strategy

Objectives

1. Consistent progress toward securing permits for a cost effective, affordable project
2. Demonstrate progress and assurance that permits will be secured
3. Maintain schedule for project approvals, funding, and financing

Strategy - Implement a collaborative, multi-level communications/negotiations approach for the five high priority permitting processes

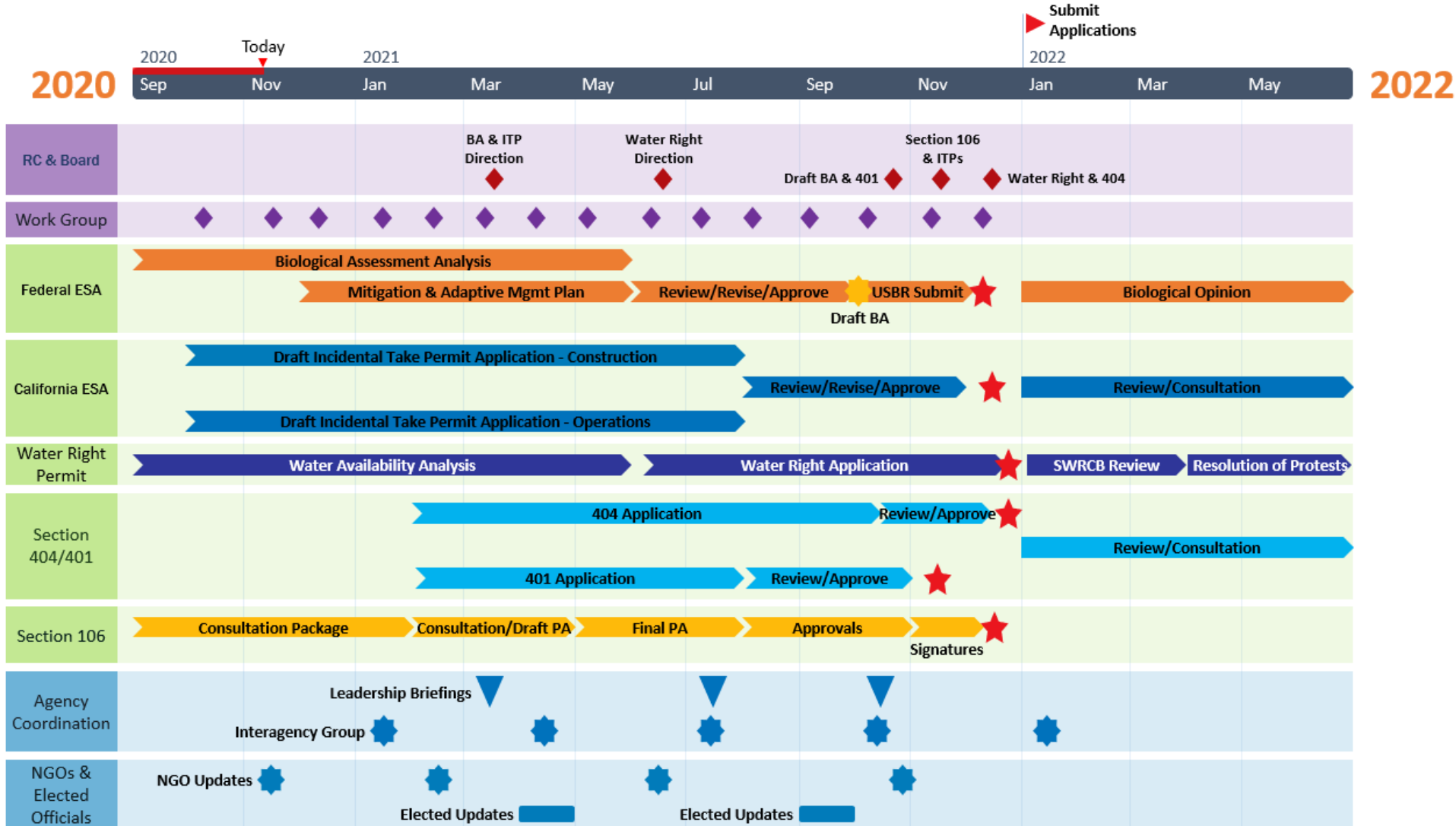
- A. Work collaboratively** with permitting and resource recovery staff at the fisheries agencies and operations staff at DWR and Reclamation to define project operations, benefits, and acceptable permit requirements.
- B. Brief state and federal agency leadership** at permitting milestones to maintain commitment and agency alignment for successful permitting and resource recovery benefits.
- C. Brief state and federal elected officials** as needed to maintain project funding and schedule.

Permitting Principles

Successfully accomplishing a collaborative, multi-level permitting strategy will depend on the dynamic implementation of the following principles.

- **Interest-based negotiations** within the framework established by the Authority Board and Reservoir Committee (June 2020). Interest-based negotiations are based on seeking and supporting full understanding of the interests and desired outcomes for all parties (the Authority, Reservoir Committee, regulatory agencies, and other partners).
- **Regular progress reporting** on issues, accomplishments, and challenges. The permitting negotiations teams are committed to frequent and transparent communications, with appropriate confidentiality, with all audiences on the topics that inform and support interest-based negotiations.
- **Prompt escalation of issues and challenges** for discussion and resolution. During permit negotiations, some issues may warrant additional clarification and direction from agency and Authority leadership. The permitting negotiation teams will identify and escalate these issues in cooperation with agency staff.

Permitting Timelines



Permitting Reporting - Dashboard

Key

- Prepared:** Internal work by team
- Presented:** Provided to agencies for review
- Reviewed:** Reviewed and discussed with agencies
- Revised:** Agency comments considered and addressed
- Resolved:** Agency issues/concerns discussed and resolved
- Deferred:** Deferred to further negotiations after application
- Confirmed:** Agencies have confirmed acceptance/agreement

Complete	Activity completed
In Process	Activity in progress
Challenge	Team and agencies discussing how to resolve issues
Roadblock	Significant issues slowing progress; escalation may be needed

Permit	Summary Status	Permit Topics/Considerations	Agreement Status with Agencies						
			Prepared	Presented	Reviewed	Revised	Resolved	Deferred	Confirmed
Biological Assessment/ Biological Opinion Reclamation USFWS NMFS		Project Description							
		Species List							
		Terr. Species Modeling Approach							
		Aquatic Species Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
		Essential Fish Habitat Analysis							
		Construction Effects Analysis							
		Aquatic Effects Analysis							
Mitigation and Adaptive Mgmt Plan									
Incidental Take Permit – Construction CDFW		Project Description							
		Species List							
		Species Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
Mitigation and Adaptive Mgmt Plan									
Incidental Take Permit – Operations CDFW		Project Description							
		Diversion Criteria							
		Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
Mitigation and Adaptive Mgmt Plan									

Action Today

- Accept the Strategic Plan Permitting Action Plan defining approach and schedule for the Project's permitting efforts during Amendment 2 (through the end of 2021)

QUESTIONS?

