

# Authority Board Meeting

Agenda Item 2.1: Federal Biological Assessment  
and State Operations ITP Application

July 27, 2022



# BA and Aquatic ITP Application Status

- Nearing completion of development of both Biological Assessment and Operations ITP Application
- Working on last few items and review/changes
- Focus of today
  - Few items not previously discussed
  - Uncertainty with CVP and SWP Operations Reconsultation

# Few Items not Previously Discussed

- Longfin smelt included in BA for conference opinion
- Exact take numbers for aquatic species will be developed during BA and ITP consultation process
- Avoid, minimize then mitigate
  - Conservation measures to avoid and minimize
  - Compensatory Mitigation suite of options
    - Off-site habitat acquisition, creation or restoration
    - Conservation banks / mitigation banks
    - Similar-in-kind mechanisms (e.g., increase fish survival)
  - Currently estimate within 2021 aquatic mitigation cost estimate
  - Mitigation for aquatic species tends to have more negotiation
    - Generally, no established or precedential ratios like terrestrial

# Few Items not Previously Discussed (cont)

- Adaptive Management Plan
  - Framework and process for addressing uncertainty with current scientific understanding of listed species and the effects of Project operations
  - Would generate and incorporate new information, improved analytical tools and effects understanding into refining operations
  - Will review key components and commitments with EPP workgroup members prior to submittal
- Terms and Changes
  - Biological Opinions
    - Standard reconsultation triggers required by law
  - Operations ITP
    - 10 years initial term plus 10-year extension from permit acceptance
  - Changes, if any, in the future would be mutually agreed upon
    - Process for change depends on magnitude of change

# Uncertainty with CVP and SWP Operations Reconsultation

- CVP and SWP currently in reconsultation on operations
- Team actively working on appropriate approach and timing for both CVP/SWP reconsultation to occur concurrent with Sites consultation
- Impacts to schedules and scope possible
- Staff to continue efforts with agencies and return once a mutually agreeable approach is reached

# Requested Action

- Request Authority Board authorize the Executive Director to:
  - Submit the Biological Assessment to Reclamation and
  - Operations ITP Application to CDFW and pay the associated application fee
- Staff will return for additional review and discussion if any substantial changes in analysis or effects are expected