

Reservoir Committee and Authority Board Meeting

Agenda Item 3.1: Incidental Take Permits and
Biological Opinions Update

April 19, 2024



State Construction ITP Consultation Status

- December 8, 2023, CDFW deemed the Authority's Construction ITP application complete
- Have begun receiving draft sections of the ITP from CDFW for review
- No substantial issues have been raised that vary from the approach in the Authority's application and supplemental materials
- Construction ITP expected to be issued in October 2024
 - Adjusted to reflect issuance on similar timeframe as Operations ITP
 - Does not impact the project schedule

State Operations ITP Consultation Status

- Application submitted in late October 2023
- Late November 2023 CDFW notified the Authority that the ITP application was incomplete
- Working through complex technical, legal, and policy questions
- Bi-weekly technical and management meeting established between Sites and CDFW
- Operations ITP expected to be issued in October 2024
 - Allows both the Operations and Construction ITP to be introduced during the water right hearing process

Federal ESA Consultation Status

- Two step ESA approach
 - Step 1 – Mixed programmatic consultation for Sites
 - Sites programmatic operations in the Reconsultation on the CVP/SWP BA/BiOp, AND
 - Sites Project-level Construction BA/BiOp for non-fishery components
 - Step 2 – Project-level operations
 - Reinitiate consultation after CVP/SWP Reconsultation to address Sites operations at a project-level – USFWS and NMFS
- Step 1 has been initiated
 - November 9, 2023, Reclamation submitted Sites as a programmatic action in the CVP/SWP Reconsultation Biological Assessment
 - November 16, 2023, Reclamation submitted the Project's Construction Biological Assessment to the USFWS
 - Started bi-weekly consultation meetings with USFWS and Reclamation
- Schedule
 - Step 1 Biological Opinions expected December 2024
 - Step 2 Biological Opinions expected May 2025 (working on a revised date)

Next Steps

- Continue bi-weekly meetings and coordination
 - USFWS and Reclamation
 - CDFW
- Continue addressing information needs and closing out requests
- Review draft permit text as available
- Update RC and AB as needed

Questions?