

## COMMUNICATIONS PLAN: ROC ON LTO – BIOLOGICAL OPINIONS PEER REVIEW

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**Target Date:** June 3, 2019

*Updated: May 31, 2019 @ 2:15PT*

This is a draft communication and public participation plan for the Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project. It outlines the major outreach goals and objectives to be achieved before and during the process. It is a dynamic document subject to revision as conditions and situations warrant.

### **BACKGROUND:**

On August 2, 2016, the Bureau of Reclamation (Reclamation), the lead federal agency, and the California Department of Water Resources (DWR), the applicant, jointly requested the reinitiation of consultation on the coordinated long-term operation of the Central Valley Project and State Water Project (ROC on LTO). The ROC on LTO is intended to incorporate new science and information into a proposed action that replaces the Reasonable and Prudent Alternatives from the biological opinions (BO) issued in 2008 and 2009. The proposed action includes a suite of flow and non-flow actions designed to improve water supply and reliability while being protective of endangered fish species.

Pursuant to the Federal Endangered Species Act, Reclamation submitted a final biological assessment (BA) for the ROC on LTO on January 31, 2019. The United States Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) are evaluating the proposed action in the final BA and working to issue two fully coordinated BOs within 135 days of the final BA (July 1). Both timeframes are consistent with the October 2018 Presidential Memorandum on Water in the West. Reclamation is also developing an Environmental Impact Statement (EIS) for the ROC on LTO pursuant to the National Environmental Policy Act (NEPA). The current high-level schedule is an administrative draft EIS in June 2019; public draft EIS in June 2019; final EIS in November 2019; and Record of Decision in December 2019.

**STRATEGY:** The media posture is reactive, respond to query in a timely manner. The holding statement below will be available for each agency to provide upon query. Any additional follow-up by the media will be forwarded from Reclamation or NMFS to Erin Curtis, USFWS PAO, to coordinate a response with Paul Souza, federal lead official for the BO process.

There will be no proactive media outreach.

Media Coordination for delivery of statement no earlier than June 4, upon request:  
Reclamation PAO: Jeff Hawk/916-978-5100/01

NMFS PAO: Jim Milbury/562-980-4006

FWS PAO: Erin Curtis/916-413-4154

Distribution of the NMFS effects analysis upon request no earlier than Tuesday, June 4:  
Reclamation PAO: Jeff Hawk

Distribution to Congressional: Individual Congressional agency contacts as appropriate.

Congressional briefing requests: Reclamation, USFWS and NMFS are planning a joint agency briefing for all Congressional oversight committee staffs prior to the distribution of the Biological Opinion.

**MATERIALS:**

- Statement
- Reactive Q/A

**TICK TOCK:**

**[June 3]**

[8 a.m. PT] NMFS to BO Effects Analysis Peer Review document sent to peer reviewers, USFWS and Reclamation.

[8:30 a.m. PT] Reclamation send to WINN Act public water agencies.

**[June 4]**

[1:00-3:00 pm PT] NMFS BO public water agency meeting (at 2800 Cottage Way)  
[Upon Request] Distribution to outside parties upon request.

**COORDINATED HOLDING STATEMENT:**

The Bureau of Reclamation, National Marine Fisheries Service and U.S. Fish and Wildlife Service have been working closely together for months to ensure the Biological Opinions for Reclamation's proposed operations plan for the CVP and SWP are completed in a timely manner.

The agencies are working to complete Endangered Species Act Section 7 consultation and incorporate the best available science to protect endangered fish and their critical habitats while providing the necessary flexibility to maximize water deliveries.

The issuance of NMFS's draft Biological Opinion effects analysis this week for peer review is the next step in that process. The draft analysis has also been provided to public water agencies in accordance with WIIN Act provisions that give water agencies an opportunity to provide comments on these draft documents as they are under development.

Comments from peer review and from the public water agencies will be considered and incorporated into the final biological opinions as appropriate. We welcome these comments and believe they are essential to developing final Biological Opinions that are informed by the best available science.

The FWS has transmitted its draft assessment of the effects of the proposed operation of the projects on Delta smelt to our agency partners for their review.

Both agencies are on track to finalize their assessments by July 1.

## **REACTIVE Q&A:**

Q: Does the NMFS effects analysis mean jeopardy for the species?

A: We see great value in independent scientific peer review as well as the new opportunity provided by the WINN Act to receive input from the public water agencies. This is part of the process and at this point it would be premature to comment on the specifics of the draft analysis. We're committed to finalizing this consultation process and sharing the final biological opinions with all interested parties.

Q: Is Reclamation going to make changes to the operation plan based on this draft effects analysis.

A: Any changes would be pre-decisional at this point. NMFS will receive comments on the draft effects analysis that will be incorporated into its biological opinion.

Q: Why isn't NMFS commenting on its effects analysis?

A: It would be inappropriate to comment since these analyses are draft products, subject to revision, and are only components of the draft Biological Opinion.

Q: Why is the FWS talking about a NMFS draft effects analysis?

A: Because Paul Sousa was designated as the lead federal official to ensure that the biological opinions are delivered in a timely manner.

Q: Where is USFWS in this process?

A: We have transmitted our draft assessment of the effects of the proposed operation of the projects on Delta smelt to our agency partners for their review. We are on track to finalize our assessment in June.

Q: How do we determine who gets to review the draft effects analysis?

A: The WINN Act statute requires that we share it with public water agencies and the state.

Q: Why did the schedule slip by two weeks?

A: Reclamation, the Fish and Wildlife Service, and the National Marine Fisheries Service were granted a two-week schedule extension by CEQ to provide additional time for all the agencies to clarify the proposed actions and better understand the NMFS effects analysis.

Q: Who are the peer reviewers?

A: They are scientists with expertise in various disciplines such as fishery stock assessments, protected species and other scientific proficiencies.