



BUREAU OF RECLAMATION
2800 Cottage Way, E-1604
Sacramento, California 95825



DEPARTMENT OF WATER RESOURCES
1416 Ninth Street, Room 1115-1
Sacramento, California 95814

August 2, 2016

William Stelle
Regional Administrator, West Coast Region
National Marine Fisheries Service
7600 Sand Point Way Northeast
Seattle, WA 98115

Subject: Request for Reinitiation of Section 7 Consultation Addressing Coordinated Long-Term Operation of the Central Valley Project (CVP) and State Water Project (SWP)

Dear Mr. Stelle:

On June 4, 2009, the National Marine Fisheries Service (NMFS) issued its biological opinion (2009 BiOp) on the Coordinated Long-term Operation of the CVP and SWP (LTO). The purpose of this letter is to request reinitiation of consultation with NMFS, as provided for under Section 7 of the Endangered Species Act (ESA), on the LTO. This request is based on new information related to multiple years of drought, recent data demonstrating extremely low listed-salmonid population levels for the endangered winter-run Chinook salmon, and new information available and expected to become available as a result of ongoing work through collaborative science processes. We expect this consultation to update the system-wide operating criteria for the LTO consistent with Section 7 requirements and to review the existing Reasonable and Prudent Alternative (RPA) included in the 2009 Biological Opinion (2009 BiOp) to determine the continued substance and efficacy in meeting the requirements of Section 7 of the ESA. Consistent with this reinitiation request, U.S. Bureau of Reclamation (Reclamation) and the California Department of Water Resources (DWR) will also seek reinitiation of consultation from the U.S. Fish and Wildlife Service (FWS) on the LTO.

During this reinitiated consultation, the CVP and SWP will continue to operate pursuant to the requirements of the 2009 BiOp until a new opinion on the LTO is issued. In addition, Reclamation will be requesting that NMFS commence the Amendment process for the 2009 BiOp RPA (section 11.2.1.2 Research and Adaptive Management page 9 of the 2011 amendment) through a separate letter. Lastly, because we believe an open and transparent science process is essential to effective conservation, the Collaborative Science and Adaptive Management Program (CSAMP) and Collaborative Adaptive Management Team (CAMT) processes can provide important input to the reinitiated consultation. In addition, we plan to involve and have the benefit of the Delta Science Program and its processes.



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For this reinitiated consultation, Reclamation and DWR will coordinate with NMFS and FWS to prepare a Consultation Agreement (CA), expected October 31, 2016, that will outline the tasks, process, and schedule to complete a biological assessment (BA) and BiOp. Additionally, the directors of Reclamation, DWR, FWS, NMFS, and the California Department of Fish and Wildlife (DFW) will meet in late 2016 to discuss progress and next steps. We believe it is appropriate to include DFW in the development of the CA to ensure consistency with legal requirements for those listed species covered in the BiOp that are also listed under the California Endangered Species Act. We expect the CA to outline the specific steps involved and agency roles in developing the proposed action, the scientific framework for the effects assessment, and preparation and review of drafts of the BA and BiOp, including independent scientific review.

Please let us know of any assistance we can provide to expedite the consultation. Please feel free to contact Ms. Janice Piñero at (916) 414-2428 or Ms. Cindy Messer at (916) 653-0901 with questions related to the LTO and BA documents.

Sincerely,

Handwritten signature of David Murillo in blue ink.

David Murillo
Regional Director
Bureau of Reclamation

Handwritten signature of Mark W. Cowin in blue ink.

Mark W. Cowin
Director
Department of Water Resources

Date: 8/2/16

Date: 8/2/2016

cc: U.S. Fish and Wildlife Service (Ren Lohofener)
California Department of Fish and Wildlife (Charlton Bonham)