

USFWS/NMFS BiOp Schedule
Draft
11/16/2018 v.2.

BiOp Development

Date	Milestone
Day 1	Services receive BAs and initiate Formal ESA Section 7 Consultation
Day 30	Services complete sufficiency reviews of BAs to ensure they meet the initiation standards required to initiate formal ESA Section 7 consultation per CFR 402.14(c)
Day 30	Peer review panel meets with agencies and provides initial comments on BAs
Day 60	Peer review report submitted to Services
Day 30-115	BiOps developed by Services
Day 115	<ul style="list-style-type: none"> • Draft BiOps submitted to Action Agency(s) for review • Draft BiOps submitted to water contractors for WIIN Act Review
Day 120	Action Agency(s) and water contractors submit comments to Services on Draft BiOps
Day 135	Services issue final, fully coordinated BiOps

Key Assumptions and Critical Success Factors

- Reclamation’s January 31, 2019, Biological Assessment is sufficient to meet the ESA Section 7 initiation standards required to initiate formal ESA Section 7 consultation per CFR 402.14(c).
 - All sections of final BAs are complete, accurate, and have sufficient detail to support BiOp development.
- There is no significant disputed science in the BAs, and to the maximum extent practicable, the Description of Proposed Action, Effects Analysis, Status of the Species and Environmental Baseline are "copy and paste-able" into the BiOps.
- All areas of dispute or disagreement are resolved by January 31, 2019.
 - All major technical/policy issues and red flags regarding science, modeling and the jeopardy/adverse modification standard are fully resolved before Reclamation submits the final BAs to USFWS and NMFS.
- The BAs includes a complete project description designed to result in no jeopardy for USFWS and NMFS’ listed species and no adverse modification for designated critical habitats.
- The Biological Assessment’s Effects Analysis is subject to peer review through the Delta Stewardship Council’s Delta Independent Science Board.
- Reclamation, USFWS and NMFS will be working closely together through the entire consultation process. Any issues will be quickly elevated and resolved.
- Existing staff and/or technical staff from agencies and consultants working on the development of the BAs are available for technical assistance during the BiOp development phase.
- Agencies have dedicated staff who are working solely on this effort throughout the development of the BAs and BiOps (to provide technical assistance and understanding of issues throughout the process) and resources available for implementing and completing the expedited schedule are not re-directed to drought, new legislation, or other issues.

- Reclamation's review of draft BiOps is limited to Reasonable and Prudent Alternatives/Terms and Conditions and does not result in significant changes to the BiOps.
- Internal (Division and Regional) and NOAA-General Counsel reviews do not result in significant changes to the BiOps.
- Conservation needs of individual species do not come in conflict with one another.
- BiOp schedules not significantly affected by Reclamation review or by WIIN Act Water agency reviews pursuant to Section 4004
- Burden to coordinate with State on CESA consistency determination with CDWR/Reclamation