



## Legislation Details (With Board Report)

**File #:** WRAG 18-246      **Name:** NMFS Update and Discussion

**Type:** WR General Agenda      **Status:** Agenda Ready

**File created:** 11/14/2018      **In control:** Water Resources Agency Board of Directors

**On agenda:** 11/19/2018      **Final action:**

**Title:** Consider receiving an update on staff discussions with the National Marine Fisheries Service regarding re-initiation of the Biological Opinion for the Salinas Valley Water Project and provide direction to staff for future action.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Board Order

Date	Ver.	Action By	Action	Result
11/19/2018	1	Water Resources Agency Board of Directors		

Consider receiving an update on staff discussions with the National Marine Fisheries Service regarding re-initiation of the Biological Opinion for the Salinas Valley Water Project and provide direction to staff for future action.

**RECOMMENDATION:**

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Receive an update on staff discussions with the National Marine Fisheries Service regarding re-initiation of the Biological Opinion for the Salinas Valley Water Project and provide direction to staff for future action.

**SUMMARY/DISCUSSION:**

On August 5, 2016, the Army Corps of Engineers re-initiated consultation between the Monterey County Water Resources Agency and National Marine Fisheries Service (“NMFS”) on the Biological Opinion (BO) for the Salinas Valley Water Project (SVWP). The BO provides “take” coverage for operations of the SVWP under Section 7 of the Endangered Species Act of 1973 (ESA). Steelhead trout (*Oncorhynchus mykiss*) are designated as threatened under the ESA and the Salinas, Nacimiento and San Antonio Rivers are identified as critical habitat for the species.

Discussions over the past two years have primarily focused on providing passage opportunities in the Salinas River for South-Central California Coast steelhead during periods of consecutive dry winters; revegetation efforts at the Salinas River Diversion Facility; and finalizing a monitoring plan. In addressing the passage opportunities during consecutive dry years, the first option that Agency staff has investigated is a variety of scenarios with the objective of providing 100 cfs of flow at Spreckels for 15 consecutive days during the third winter following two consecutive dry years in the December to March timeframe. The Agency’s preliminary investigation of this option indicates that in order to achieve this objective there would be impacts to the SVWP that must be analyzed under CEQA.

Another option to consider would be for Agency staff to re-evaluate the “*Salinas Valley Water Project Flow Prescription for Steelhead Trout in the Salinas River*” (Flow Prescription) for opportunities to provide additional passage days during normal year types. Those opportunities could include actions such as managing the sandbar at the mouth of Salinas River Lagoon for upstream migration or modifications to existing triggers in the Flow Prescription.

A third option would be for staff to provide NMFS with a plan that addresses revegetation at the Salinas River Diversion Facility and revisions to the monitoring plan, with no changes to the existing Flow Prescription. NMFS has advised Agency staff that they will proceed with the re-initiation using the existing Flow Prescription and data from past years of operation and monitoring if no new flow proposals are forthcoming from the Agency.

OTHER AGENCY INVOLVEMENT:

- The Reservoir Operations Advisory Committee received an update and provided guidance on September 27, 2018.
- The Basin Management Advisory Committee received an update and provided guidance on October 3, 2018.
- The Board of Directors received an update and provided guidance on October 15, 2018.
- The Reservoir Operations Advisory Committee received an update and provided guidance on October 18, 2018.
- The Basin Management Advisory Committee received an update and provided guidance on November 7, 2018.

FINANCING:

There is no financial impact to receive this report. The financial impact of the possible actions discussed in this report have not been fully evaluated.

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Attachments:  
Board Order