



# United States Department of the Interior

BUREAU OF RECLAMATION  
Mid-Pacific Regional Office  
2800 Cottage Way  
Sacramento, CA 95825-1898

IN REPLY REFER TO:  
MP-170  
ENV-7.00

MAR 14 2016

Ms. Maria Rea  
Supervisor, Central Valley Office  
National Marine Fisheries Service  
650 Capitol Mall, Suite 8-300  
Sacramento, CA 95814

**Subject:** Request for Programmatic Formal Consultation and Informal Conference Pursuant to Section 7 of the Endangered Species Act and Consultation Pursuant to the Magnuson Stevens Fishery Conservation and Management Act for the San Joaquin River Restoration Program Mendota Pool Bypass and Reach 2B Improvement Project

Dear Ms. Rea:

On January 14, 2016, the Bureau of Reclamation requested initiation of formal consultation pursuant to Section 7(a)(2) of the Endangered Species Act (ESA), informal conference pursuant to Section 7(a)(4) of the ESA, and consultation in accordance with the Magnuson Stevens Fishery Conservation and Management Act (MSA) for the proposed Mendota Pool Bypass and Reach 2B Improvements Project (Proposed Action). Based on discussions with the National Marine Fisheries Service (NMFS), Reclamation would like to clarify that this should be considered a Programmatic Consultation.

In accordance with the NMFS Final ESA Section 7 Consultation Handbook, Reclamation believes, with the advice and guidance of the NMFS, that the Proposed Action meets the requirements for an incremental step consultation. Reclamation can best meet our continuing obligation to obtain sufficient data upon which to base the final BO via an incremental step consultation. Reclamation is planning to construct the Proposed Action in segments, with each step serving a separate utility. Reclamation intends to continue consultation with respect to the entire Proposed Action and obtain Biological Opinions (BO), if required, for each incremental step.

Reclamation expects that the NMFS will issue a BO on the overall Proposed Action in 2016. Also Reclamation anticipates design efforts will continue through 2018 on different aspects of the Proposed Action. Reclamation will transmit via email or letter each stage of design drawings as each incremental step of design is completed. With more complete design information, Reclamation can ensure that NMFS has sufficient information to inform the consultation such that NMFS's may issue concurrence memos on each incremental step. Reclamation anticipates the following incremental steps:

- 1) Columbia Canal Intake and Siphon
- 2) Compact Bypass Grading, Structures, and Floodplain
- 3) Reach 2B Grading, Levees, and Floodplain
- 4) Chowchilla Bypass Fish Ladder

The enclosed Programmatic Biological Assessment (BA) analyzes the potential effects of the Proposed Action on special status anadromous species potentially occurring in the action area and potentially affected by the Proposed Action. These species include the Central Valley steelhead Distinct Population Segment (*Oncorhynchus mykiss*) (steelhead) and the Central Valley spring-run Chinook salmon (*O. tshawytscha*) Evolutionarily Significant Unit (spring-run Chinook salmon) population being reintroduced by the San Joaquin River Restoration Program. This population of spring-run Chinook salmon has been designated by NMFS as a Non-essential Experimental Population in accordance with Section 10(j) of the ESA. No proposed or designated critical habitat occurs within the action area. NMFS has designated the San Joaquin River, including the proposed action area, as Essential Fish Habitat for Pacific salmon in accordance with the MSA.

Once the consultation file is considered sufficient, Reclamation would appreciate issuance of a BO and incidental take permit within 135 days of receipt of this letter. If you have any questions, please contact Rebecca Victorine, Natural Resources Specialist, at (916) 978-4624 or rvictorine@usbr.gov.

Sincerely,



Mario Manzo  
Acting Program Manager

Enclosure

cc: Ms. Rhonda Reed  
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