

FISH SCREENS PROCESS FOR DEVELOPING APPROPRIATE ASSURANCES

DRAFT

The term "screening criteria" in this case, is often not clearly defined or articulated. It also is defined differently depending on the stakeholder group or issue being discussed. Before a final approval is implemented, the agencies working with stakeholders must determine that correct assurances are addressed. Until that time, the more appropriate way to describe the screening issue is to develop a level of comfort. The stakeholders are concerned that the approach and criteria used today to build screens will be subject to additional criteria changes by the agencies in the future. Nonlisted species screening criteria may also be an issue. But to determine the relative nature of this concern, existing criteria for screening these species must be evaluated. Obviously there is a need to provide some level of comfort in the short term and for the assurances in the long term.

SHORT-TERM:

Screening criteria should be developed that discuss the fact that there are currently various criteria to meet certain species needs. Therefore, the more protective the criteria that is used, the more species that will be covered. Currently, within the Delta the approach velocities for delta smelt will be the most protective restriction. Based on our knowledge of other native species within the Delta this should be sufficiently protective. Attachment A provides a list of native species within the Delta and their screening criteria. Attachment B provides the riverine native species list and respective criteria. The following is the process we would recommend:

- o A programmatic section 7 with the Bureau of Reclamation and intra section 7 with the Fish and Wildlife Service for the screening program for 1997 would be accomplished to meet short term requirements.
- o The project description considered in the consultation would include a range of screen designs, the criteria protective for various fish species, as described in the attachments, the geographic extent of the screening program, and the project-life of a screen.
- o The project description and incidental take statement would state that, if intakes are screened to the more protective criteria, the project proponent would have coverage for take of listed and proposed species. Therefore, ALL incidental take would be covered.

LONG-TERM:

- o Develop a Habitat Conservation Plan (HCP) by an appropriate applicant, possibly the California Department of Fish and Game or the Northern California Water Agency. To facilitate the development of a HCP for a screening program, the size of diversion intakes should be limited and the geographic scope should also be limited to the Sacramento and San Joaquin River system and Delta.
- o Development of an HCP would provide the more typical assurances stakeholders are requesting. However, for the process to be completed by 1998, planning would need to begin now. The 1997-1998 individual species that were covered through the programmatic section 7 could be included in the HCP.
- o Larger diversion projects would develop their own HCP and seek assurances unique to that project and its geographic location.
- o Federal projects would continue to consult under section 7.