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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**
12 **FRESNO DIVISION**

13 NATURAL RESOURCES DEFENSE)
14 COUNCIL, et al.,)
15)
16 Plaintiffs,)
17 v.)
18)
19 DIRK KEMPTHORNE et al.,)
20)
21 Defendants.)
22)
23 SAN LUIS & DELTA MENDOTA)
24 WATER AUTHORITY, et. al.)
25)
26 Defendant-Intervenors)
27 _____)
28)

Case No.: 05-CV-01207 (OWW) (LJO)

**Federal Defendants' Notice of Completion
of Biological Opinion**

18 The Federal Defendants hereby notify the Court, the parties, and their attorneys of record
19 that the United States Fish and Wildlife Service completed its biological opinion on the effects
20 of the operations of the Central Valley Project and State Water Project on the threatened Delta
21 smelt on December 15, 2008, in compliance with the schedule set by the Court's order, Docket
22 No. 753 (Sept. 22, 2008). A copy of that biological opinion will be made available on the
23 Internet by tomorrow, December 16, 2008, at <http://www.fws.gov/sacramento/>. A copy of the
24 biological assessment prepared by the United States Bureau of Reclamation is also available on
25 the Internet at http://www.usbr.gov/mp/cvo/ocapBA_2008.html.

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Respectfully submitted this 15th day of December, 2008,

RONALD J. TENPAS, Assistant Attorney General
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/s/ James A. Maysonett
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