



United States Department of the Interior

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

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SACRAMENTO FISH
& WILDLIFE OFFICE

MEMORANDUM

To: Regional Director, Region 8
U.S. Fish and Wildlife Service

From: Donald R. Glaser
Regional Director

Subject: Biological Opinion for Delta Smelt, Dated December 15, 2008

We are in receipt of the Biological Opinion regarding the effects of the continued long-term operation of the Central Valley Project (CVP) and State Water Project (SWP) on delta smelt dated December 15, 2008. We appreciate all the hard work of you and your staff in the Section 7 consultation and preparation of this document.

At this time, the Bureau of Reclamation provisionally accepts the Reasonable and Prudent Alternative (RPA) developed by the U.S. Fish and Wildlife Service (Service) and included in the Biological Opinion conditioned upon the further development and evaluation of the two RPA components directed at habitat. RPA Component 3, the fall action, and RPA Component 4, the tidal habitat restoration action, both need additional review and refinement before Reclamation will be able to determine whether implementation of these actions by the Projects is reasonable and prudent. Further, these actions have the potential to impact listed salmonids; thus, these actions need to be coordinated with the National Marine Fisheries Service (NMFS) through Reclamation's ongoing consultation with NMFS regarding the effects of long-term Project operations.

Reclamation recognizes and appreciates that these Components have been designed with flexibility, and that the adaptive management process described in the Component 3 is intended to refine the action; however, we believe that both Components need to be developed in more detail before Reclamation can unconditionally accept the RPA. Reclamation would like to continue to work with you and your staff regarding how these Components of the RPA will be implemented so that we can better understand the required changes in CVP and SWP operations. If Reclamation, in coordination with the Department of Water Resources, ultimately determines that these two Components are not reasonable and prudent, Reclamation will reinitiate consultation.

Reclamation will begin immediate implementation of the RPA by modifying operations as required to comply with the Biological Opinion. We will notify you as soon as we determine if we can unconditionally accept the Reasonable and Prudent Alternative, or whether reinitiation of consultation is warranted.