



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pacific Southwest Region
2800 Cottage Way, Room W-2606
Sacramento, California 95825-1846



In reply refer to:

March 5, 2013

Subject: Determination of Actions Required Under Component 2 of the 2008 OCAP Biological Opinion

Determination

The Service has determined that as of March 5, 2013, OMR flows should be no more negative than -5000 cfs on a 14-day running average, with a simultaneous 5-day running average no more negative than -6250 cfs (within 25 percent). An OMR flow limit of -5000 cfs is within the range of allowable net daily OMR flows for Action 3, which is -1250 to -5000 cfs. The Service will continue to monitor Delta conditions on a daily basis and will consider the import of any new information that is received.

Because spent female delta smelt have been detected in the Spring Kodiak Trawl (SKT survey), the Service has determined that the water projects have transitioned into Component 2, Action 3 of the Biological Opinion. Action 3 is designed to protect larval and juvenile delta smelt from entrainment. The Service will continue to assess conditions to manage adult delta smelt entrainment risk and ensure that the projects do not exceed the Water Year (WY) 2013 incidental take limit of 362 adult delta smelt.

Information and Analysis

The Service has considered Delta conditions information provided by participants of the Delta Conditions Team (DCT) on March 5, 2013, and considered by the SWG in the recommendation it provided on March 5, 2013.

The DCT provided recent turbidity data for Old and Middle rivers in the south and central Delta. The brief localized and passing turbidity increases that were apparent last week at Holland Cut on Old River have diminished, and present daily averages are approximately 6 NTUs. Middle River at Union Point registered apparently anomalous turbidity readings resulting in a daily average of 60 NTUs. Some instantaneous values at this gauge were as high as over 900 NTUs, followed immediately by low values of 5 NTUs. This dramatic turbidity increase was not reflected at other Middle River stations. Average turbidities in the south and central Delta remain below 10 NTUs.

On Friday, March 5, 2013, the SWG reviewed adult delta smelt distribution and salvage data, current Delta conditions, projected operations and its March 1, 2013, recommendation. The SWG recommended that project operations be such that OMR be no more negative than -5000 cfs.

Between February 25 and March 4, 2013, twelve adult delta smelt were salvaged. As of March 4, 2013, the cumulative seasonal total of adult delta smelt take for WY 2013 is 242. This represents 67 percent of the revised WY 2013 incidental take limit. Spent delta smelt females were observed during the SKT survey on March 4, 2013, in the lower San Joaquin. Evidence of spawning as indicated by the observation of spent females in either salvage or survey data is the biological trigger to transition into Action 3 of the Biological Opinion.

The low numbers of delta smelt adults in salvage over the last few weeks, and also the apparently low occurrence of delta smelt at SKT survey 3's south and central Delta stations indicate that there may be few delta smelt vulnerable to entrainment into the south Delta. The timing of this year's onset of spawning as evidenced in SKT survey 3 is not unlike other years, when compared to historical data. Therefore, the SWG agreed that setting early April as the probable end of the adult entrainment period, based on historical salvage data, is appropriate. Because the projects are no longer at the Biological Opinion's incidental take limit concern level, and as we are nearing the end of the probable adult entrainment period, the SWG recommends that an OMR target of -5000 cfs will not put the projects at risk of exceeding the WY 2013 incidental take limit. The SWG remains cautious, however, and agrees that there will be a need to reconvene immediately to assess the risk of delta smelt entrainment if there is a change in the current low salvage trend.

Because salvage has remained low over the past three weeks as the projects targeted increasingly negative OMRs, and we are approaching the probable end of the adult delta smelt entrainment period, the Service has determined that OMR flows can be no more negative than -5000 cfs on a 14-day running average, with a simultaneous 5-day running average no more negative than -6250 cfs (within 25 percent). There remains some uncertainty regarding OMR target flows that are protective of adult delta smelt. The Service will continue to monitor salvage closely to see how the salvage rate responds to rising negative OMR.

The Bureau of Reclamation and the Service have reinitiated consultation on the 2008 OCAP biological opinion. During this reinitiation period, the Bureau, Service, California Department of Water Resources, and California Department of Fish and Wildlife are conferring on measures needed to protect delta smelt while providing for the water security of California.