



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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In reply refer to:

January 23, 2013

Subject: Determination of Actions Required Under Component 1 of the 2008 OCAP Biological Opinion

The Service has determined that beginning Friday, January 25, 2013, OMR flows be no more negative than -3500 cfs for a total duration of 14 days, with a 5-day running average no more negative than -4375 cfs (within 25 percent), unless the cumulative total of adult delta smelt salvage (expanded) between 0001 hours on January 23 and 2400 hours on January 24 exceeds 8. If cumulative adult delta smelt salvage exceeds 8 during that period, then OMR flows shall be no more negative than -2500 cfs on a 14 day running average, with a 5-day running average no more negative than -3125 cfs (within 25 percent). OMR flow limits of -3500 cfs or -2500 cfs are within the range of allowable net daily OMR flows for Action 2, which is -1250 to -5000 cfs.

On January 15, 2013, the Service concluded that the previous determination of -3500 cfs would remain in place while further developments in delta conditions information were closely monitored. This determination was based on information received from the Delta Conditions Team (DCT) and Smelt Working Group (SWG) on January 14, 2013, and with consideration of the likely trajectory of delta smelt entrainment risks associated with turbidity and OMR flow given the most recent Spring Kodiak Trawl distribution results. The Service expected that, given the distribution of the fish on the Sacramento River and near the lower-most limit of the San Joaquin River at Stations 809 and 812, and the expected absence of storm systems or other disturbances, that an OMR limit of -3500 cfs would provide adequate protection while turbidity continued to decline south of Franks Tract.

The Service has also based this week's determination on this reasoning and new information received from the DCT and the SWG on January 22, 2013.

The DCT reported that the data show declining turbidities over the previous week. Daily turbidities at south and central Delta gauge stations are below 12 NTUs, and the group expected that the 3-day averages at these gauges will be less than 12 NTUs in the next few days under projected operations targeting an OMR of -3500 cfs. The bridge of turbidity that was apparent in the Old River corridor last week has also begun to dissipate.

The SWG reviewed delta smelt distribution and salvage data, current delta conditions and projected operations, and recommended that OMR flows be set to no more negative than -2500 cfs to protect pre-spawning adult delta smelt from entrainment, and provide advantageous hydrodynamic conditions. Twenty-one adult delta smelt have been salvaged between January 14 and January 20, 2013. Eleven delta smelt and 4 delta smelt were salvaged at the Federal fish facilities on January 15 and January 19,

respectively. Six delta smelt were salvaged at the state fish facilities on January 20. Preliminary data indicate that 8 delta smelt were salvaged at the state fish facilities on January 21 and 8 more on January 22. This represents 4 consecutive days of delta smelt salvage. The preliminary seasonal total of salvaged adult delta smelt is 149, which represents 49% of the total authorized take of adult delta smelt for Water Year (WY) 2013.

The SWG posited that were salvage to continue at the present rate, the projects could potentially exceed their total authorized take of 305 adult delta smelt for WY 2013. The SWG agreed that current hydrological data and delta smelt salvage data were comparatively similar to last week, and that the rationale for the January 14, 2013, SWG recommendation remained valid given current conditions and projected operations. The SWG believed that recommending an OMR of no more negative than -2500 cfs will result in a decreased risk of entrainment and will be more protective of delta smelt than current projected operations, which are targeting -3500 cfs.

Given this new information, the Service has determined that an OMR flow of no more negative than -3500 cfs is necessary to protect pre-spawning adult delta smelt from entrainment, provided salvage abates over the next two days. If the current salvage pattern does not abate by midnight Thursday, as described above, then an OMR flow of no more negative than -2500 cfs will be necessary to further reduce risk.