



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Pacific Southwest Region
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Sacramento, California 95825-1846

In reply refer to:

February 12, 2013

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

The Service has determined that as of February 12, 2013, OMR flows should be no more negative than -2000 cfs on a 14-day running average, with a simultaneous 5-day running average no more negative than -2500 cfs (within 25 percent). An OMR flow limit of -2000cfs is within the range of allowable net daily OMR flows for Action 2, 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. If entrainment of smelt once again occurs on more than a sporadic basis, the Service may call for a reduction to -1250 cfs.

The Service has considered Delta conditions information provided by participants of the Delta Conditions Team (DCT) on February 11, 2013, and considered in the Smelt Working Group (SWG) recommendation received on February 11, 2013.

Turbidity data presented at the DCT indicate there was a brief increase in turbidity at Holland Cut in the central Delta; the turbidity gauge recorded readings above 15 NTUs for half of Saturday, February 9. Since that time, the turbidity at Holland Cut has dropped below 9 NTUs. Gauges on Old River to the south at Bacon Island and at Highway 4 recorded turbidities below 8 NTUs. Similar low readings of 6 NTUs were recorded on the Middle River corridor. These low turbidities on both the Old and Middle river corridors indicate the absence of a turbidity bridge into the south Delta.

The SWG reviewed adult delta smelt distribution and salvage data, current Delta conditions, and projected operations. The Biological Opinion concern level of 75 percent of the Water Year (WY) 2013 adult delta smelt permitted incidental take level (ITL) was reached on February 6, 2013. While there has been no salvage in the last four days, the SWG concluded that the risk of entrainment remains high, and at current salvage levels, the projects could exceed the WY 2013 adult delta smelt ITL. Based on historical salvage data, the SWG expects that the adult delta smelt entrainment period could extend through March. This is supported by the fact that there have been no ripe females observed in either salvage or survey data, indicating that it remains early in the delta smelt spawning season. The SWG's recommendation that OMR flows be set to no more negative than -1250 cfs was made with the understanding that the extent of salvage reduction is currently uncertain. However, the SWG agreed that less negative OMR flows have a higher probability of reducing the risk of entrainment than at -2500 cfs and thus delaying the occurrence of or potentially exceeding the WY 2013 adult delta smelt ITL.

On February 8, 2013, the Service made a determination that OMR flows should be no more negative than -1250 cfs. This precaution was taken to lessen the risk of delta smelt being entrained. However, no delta smelt have been reported as salvaged since February 6, 2013, suggesting this year's unusual entrainment event may be over. It seems prudent to pause the reduction in OMR flows to further monitor delta smelt entrainment. The Service, Bureau of Reclamation, California Department of Water Resources, and California Department of Fish and Wildlife have been conferring on measures needed to protect delta smelt while providing for the water security of California.