



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:

February 15, 2013

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

The Service has determined that as of February 15, 2013, OMR flows should be no more negative than -2500 cfs on a 14-day running average, with a simultaneous 5-day running average no more negative than -3125 cfs (within 25 percent). An OMR flow limit of -2500cfs 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.

The Service has considered Delta conditions information provided by participants of the Delta Conditions Team (DCT) on February 15, 2013, and considered in the Smelt Working Group (SWG) recommendation received on February 15, 2013.

Gauge data over the past week indicate that turbidities in the south and central Delta are very low and continue to decline. Daily averages are less than 6 NTUs, which are the lowest turbidity readings since December. These low turbidities indicate a persistent absence of a turbidity bridge on both the Old and Middle rivers into the south Delta.

The SWG reviewed adult delta smelt distribution and salvage data, current Delta conditions, and projected operations. There has been no delta smelt salvage at either the state or Federal fish facility for eight consecutive days. The cumulative seasonal total of adult delta smelt for Water Year (WY) 2013 is 228. This also represents the Biological Opinion concern level of 75 percent of the WY 2013 adult delta smelt permitted incidental take level (ITL), which was reached on February 6, 2013.

The SWG recommends that project operations be such that OMR be no more negative than -2500 cfs. This recommendation was based, in part, on a Service analysis that demonstrated that increasing the sampling rate at the fish facilities would not result in additional salvage, indicating that the 0-counts at the fish facilities were true 0's. The analysis did not describe the potential cause or control of this 0-salvage trend. Given that the 0-salvage trend occurred at a time when operations targeted -2500 cfs, the SWG recommended that projected operations can be increased to target -2500 cfs. The SWG remains concerned that the projects have reached 75% of the WY 2013 ITL, and 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 will continue to monitor salvage data and reconvene immediately if conditions not considered in the

Service analysis occur, indicating an increased potential in salvage.

On February 12, 2013, the Service made a determination that OMR flows should be no more negative than -2000 cfs. This precaution was taken to lessen the risk of delta smelt being entrained. The continuing trend of no delta smelt salvaged at either facility beginning on February 6, 2013, suggests this year's unusual entrainment event may be over. 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.