



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:

January 6, 2017

Subject: Determination Under Component 1, Action 2 of the 2008 Coordinated Long-term Operation of the Central Valley Project and State Water Project Biological Opinion (BiOp)

Determination: The Service determines that delta smelt migration has occurred prompted by storms in December. Based on this determination, Action 1 is no longer relevant for 2017 water operations. Action 2 is intended to protect post-migratory adult delta smelt and should now be implemented. Under Action 2 Old and Middle River (OMR) flow is 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). In addition, provisions outlined in the Water Infrastructure Improvements for the Nation Act of 2016 must be taken into account.

Rationale: Action 1 is intended to protect delta smelt during their migration upstream prior to spawning, which has historically coincided with a major storm event following mid-December. A major storm occurred in middle-to-late December, with flows on the Sacramento River at Freeport exceeding 80,000 cfs at one point. Based on past observations of delta smelt distribution after a major storm event, we expect that fish have migrated and are unlikely to engage in major migratory movement aside from localized movement. Now that delta smelt have migrated, Action 1 is no longer relevant for this winter's water operations.

Action 2 is designed to protect adults that have migrated upstream and are residing in the Delta prior to spawning. Action 2 may be implemented without the initiation of Action 1 to reduce entrainment of pre-spawning adult delta smelt during December to March by controlling OMR flows during vulnerable periods. Under Action 2, the range of OMR flow may be set between -1250 cfs and -5000 cfs based on an assessment of conditions. Under the BiOp, Action 2 may be temporarily suspended if the three day flow average is greater than or equal to 90,000 cfs on the Sacramento River at Rio Vista and 10,000 cfs on the San Joaquin River at Vernalis. Once flows have abated below these levels the action is resumed. In addition, provisions outlined in the Water Infrastructure Improvements for the Nation Act of 2016 must be taken into account.