

Determination of Actions Required Under Component 1 of the 2008 OCAP Biological Opinion February 16, 2010

The Service has determined that OMR flows be no more negative than -5000 cfs on a 14-day average (no more negative than -6250 cfs on a 5-day average), as allowed under the RPA. The Service expects that due to the requirement to provide 48 hours notice to the court, modifications to pumping will begin after 5pm on Thursday, February 18, 2010.

The Service's determination is based on a recommendation made by the Smelt Working Group (SWG). On February 16, 2010, the SWG recommended a change in OMR flows from no more negative than -4000 to no more negative than -5000 cfs. This recommendation was based on the fact that only one additional delta smelt has been salvaged since February 10, current hydrological conditions, preliminary results from the SKT #2 indicating that delta smelt are distributed largely in the north Delta, and the planned operations of the projects (approximately 5900 cfs combined exports). The risk of entrainment for delta smelt is considered to be low at this time.

Delta water temperatures have now exceeded 12⁰C, indicating that conditions are now appropriate for spawning. However, given incubation rates at 12⁰C, the Working Group does not expect that larvae will enter the water column for about two more weeks.

The Working Group will continue to monitor salvage, survey data, and hydrological conditions and reconvene February 22 to discuss the potential to modify the recommendation. If salvage increases, the Working group will reconvene later in the week for further discussion.