

News Release



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Federal, California Agencies Confer on Short-term, Long-term Measures to Address Protection of Threatened Species and Reduced Water Deliveries from Bay Delta

SACRAMENTO, Calif. – State and federal officials are conferring on measures needed to provide for the water security of California and to protect the threatened delta smelt after pumping levels through the Sacramento-San Joaquin Delta (Delta) were reduced in the short term to protect the fish. In addition, the Interior Department’s Bureau of Reclamation (Reclamation), in coordination with California’s Department of Water Resources (DWR), is reinitiating informal consultation with the U.S. Fish and Wildlife Service (Service) and in cooperation with the California’s Department of Fish and Wildlife to evaluate a range of potential alternatives to best meet the needs of the fish and water users during this challenging water year.

Interior and California officials are also reemphasizing their commitment to move forward with the Bay Delta Conservation Plan (BDCP), which would implement a long-term solution for reducing or avoiding the conflicts that are being seen again this year between water deliveries through the Delta and fishery needs.

In response to some projections that within a few weeks the current authorized incidental take threshold for adult delta smelt could be exceeded, the Service has directed state and federal water operators to further reduce pumping from facilities located in the South Delta. Over the past two months, delta smelt, a fish listed under both the federal and California Endangered Species Acts, have been steadily entrained at the water diversion pumping plants operated by Reclamation and California’s DWR in the southeastern Delta. About 75 percent of the estimated incidental take of adult delta smelt for the operating season has occurred with nearly two months left before the period of concern for adult delta smelt ends.

“The actions the Service are requesting were recommended by the joint federal-state Smelt Working Group and are intended to reduce the incidental take of delta smelt,” said U.S. Fish and Wildlife Service Pacific Southwest Regional Director Ren Lohofener. “The current water year has unfolded in a unique way and Reclamation and the Department of Water Resources have worked hard with the Service to find solutions during a difficult season. The agencies, including California Department of Fish and Wildlife,

are closely monitoring the situation and are conferring on appropriate measures to protect delta smelt while ensuring the ongoing availability of water supplies for millions of Californians.”

On Friday, February 8, the Service determined that the combined net Old and Middle River flows in the central Delta should be no more negative than -1,250 cubic feet per second (cfs) on a 14-day running average, with a simultaneous 5-day running average no more negative than -1,563 cfs. This is a decrease from the most recently permitted flow of -2,500 cfs.

“We will work closely with the Service and the Department of Water Resources to implement this change while also reassessing conditions in the Delta and available options related to our water supply operations for the next several months,” said David Murillo, Regional Director of Reclamation’s Mid-Pacific Region. “This water year underscores the need for our agencies to work together to find a comprehensive, long-term solution to achieve the dual goals of a reliable water supply for California and a healthy California Bay Delta ecosystem that supports the state’s economy.”

These actions come as state and federal agencies are considering a proposal for a new water conveyance facility to move water through the Delta and help restore the health of the ecosystem. The BDCP is designed to help restore fish populations, protect water quality, and improve the reliability of water supplies for all water users who depend on the Delta for deliveries from state and federal projects. Because the conveyance proposed as part of the BDCP would divert water from a location north of the Delta, biologists believe that take of delta smelt from operation of the South Delta facilities could be reduced.

Adult delta smelt migrate into the Delta and spawn during the winter and early spring months. Depending on Delta conditions during their upstream migration, some adults may enter areas of the Delta where they become vulnerable to entrainment at the federal and state pumping plants. At the pumping plants, entrained smelt are sampled periodically. Entrainment of delta smelt often results in mortality and is considered incidental take under the Endangered Species Act.

Authorized incidental take represents the amount of harm to a threatened or endangered species expected to result from the operation of the state and federal projects while operating in compliance with the biological opinion. If the estimate of incidental take is exceeded, Section 7 consultation will be reinitiated to evaluate the adequacy of the protections in place, the basis for the amount of authorized incidental take, and, where available, improvements in the measures needed to protect the species. Reinitiation of consultation will ensure that the delta smelt is not jeopardized as a result of modifications to the incidental take statement or other provisions of the Biological Opinion.

The first delta smelt was counted at the pumps on Dec. 12, 2012, and the Service initiated Action 1 of Reasonable and Prudent Alternative component 1 of the Biological Opinion on Dec. 17, 2012.

This action, the seventh determination made this 2012-2013 water year to comply with the biological opinion, was taken based on information about Delta conditions provided by participants of the Delta Conditions Team, and considered in the Smelt Working Group recommendations. All of the Determinations and the Smelt Working Group Notes are posted on the web site of the Service’s Bay-Delta Fish and Wildlife Office at http://www.fws.gov/sfbaydelta/cvp-swp/smelt_working_group.cfm

Delta smelt are fish native to and found only in the San Francisco Bay and Sacramento–San Joaquin Delta Estuary in California. They were once one of the most common pelagic (living in open water away from the bottom) fish in the upper Sacramento–San Joaquin Estuary. The delta smelt was first listed as threatened under the federal and California ESAs in 1993 as a result of habitat loss, drought, introduced species, and reduction of food items. The species was listed as endangered under the state ESA in 2010. Critical habitat was designated for the species in 1994. Recent estimates of delta smelt included the lowest levels ever recorded – about one-tenth the level it was in 2003. A 2005 population viability analysis calculated a 50-percent likelihood that the species could become extinct within the next 20 years.

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