



# IEP NEWSLETTER

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## **Smelt Larva Survey Initiated January 2009**

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The Smelt Larva Survey started field work January 5, 2009 in support of the Department of Fish and Game's information needs during candidacy period of longfin smelt, which was petitioned for listing under the California Endangered Species Act (CESA). This every-other-week survey provided near real-time larvae distribution information used by agency managers assessing entrainment vulnerability and providing advice on means to reduce potential entrainment at the south Delta water export facilities. The Survey successfully and safely completed field operations on March 4, 2009. Laboratory processing and data posting steps went smoothly and efficiently throughout the season, and both steps were completed in a timely manner. Larva identification for the March Survey is still in progress and should be completed before the end of March. This survey will commence again next January to provide information to help manage longfin smelt, if it is listed as threatened under the CESA. Survey results for longfin smelt and other species can be viewed on the web at: (<http://www.delta.dfg.ca.gov/data/projects/?ProjectID=SLS>).

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## **OCAP Biological Opinion**

*Cay Goude(USFWS), Ryan Olah (USFWS)*

The Coordinated Operation of the Bureau of Reclamation's (Reclamation's) Central Valley Project (CVP) and the California Department of Water Resources' (DWR's) State Water Project (SWP), commonly referred to as OCAP, requires a Biological Opinion (BO) for effects upon delta smelt. The BO includes both the operations of the CVP and SWP reservoirs as well as the Delta export facilities. The 2004 OCAP BO was invalidated in May 25, 2007 and the Federal Court ordered interim restrictions for the 2008 water year on the CVP and SWP pending completion of a new BO. On December 15, 2008 the Fish and Wildlife Service (Service) issued a jeopardy BO with a Reasonable and Prudent Alternative (RPA).

Reclamation provisionally accepted the RPA with concerns about two of the five components of the RPA (Component 3 and 4). Federal and state water contractors filed complaints challenging the BO on March 3, 2009, and March 4, 2009, respectively.

The development of the BO included the use of various sources of data and information. The Service relied heavily on IEP survey information and the various research that has been funded or developed by member agencies. In development of the BO the Service used a team approach to synthesize and evaluate the information to be analyzed. The teams included an Internal Peer Review Team made up of Service employees with expertise in endangered species and fish biology. The Service also formed an interagency team of delta smelt experts that provided additional review and information. In addition, the Service contracted to have an Independent Review Team review both our effects analysis and our Actions which ultimately became the RPA. This Independent Review Team included individuals with expertise in the Delta, delta smelt, and ecological factors impacting the Delta.

The five components of the RPA are: Component 1) protection of the adult delta smelt life stage; Component 2) protection of larval and juvenile delta smelt; Component 3) improve habitat for delta smelt growth and rearing; Component 4) habitat restoration; and Component 5) monitoring and reporting. Component 1 includes a restriction of Old and Middle River Flows (OMR) to protect prespawning adults from December through March. The protective measures under this Component include a 14-day export curtailment resulting in OMR flows being no more negative than -2000 cfs that is initiated based on various biological and hydrologic factors. After this 14-day action, the Component calls for the protection of delta smelt after migration and prior to spawning by managing OMR flows between -1250 and -5000 cfs as determined using an adaptive process until spawning is detected or spawning criteria are reached. The goal of Component 2 is to manage habitat to allow larval and juvenile delta smelt to rear in the Delta and migrate downstream. Again, OMR under this Component OMR would range between -1250 to -5000 cfs as determined by an adaptive process until June 30<sup>th</sup> or when Delta water temperatures reach 25 degrees C. The goal of Component 3 is to improve habitat for delta smelt growth and rearing. This will increase fall habitat quality and quantity and is only required during above normal and wet water years. This component includes an additional increment of Delta outflow in Sep-