



United States Department of the Interior
FISH AND WILDLIFE SERVICE
2800 Cottage Way, Room W-2606
Sacramento, California 95825



DEC 14 2011

TO: Regional Director, Mid Pacific Region
U.S. Bureau of Reclamation

FROM: Regional Director, Pacific Southwest Region
U.S. Fish and Wildlife Service

MEMORANDUM

Subject: First Draft Biological Opinion on Coordinated Long-Term Operation of the Central Valley Project (CVP) and State Water Project (SWP)

Thank you for your memorandum of December 13, 2011, describing the process to develop a revised proposal for coordinated operations of the CVP and SWP. From your memo, the Service understands that Reclamation expects to develop a new project description, including actions intended to protect listed species, as you engage in a National Environmental Policy Act (NEPA) process that is responsive to the District Court Amended Final Judgment in the Delta Smelt Consolidated Cases (1:09-cv-00407-OWW-DLB issued on May 4, 2011). In response to that same Judgment, we have enclosed a first draft of a biological opinion on the CVP and SWP.

We further understand that this process is intended to result in coordinated biological opinions on project operations that provide incidental take coverage for delta smelt and salmonids. We are committed to working with National Marine Fisheries Service, Reclamation and the California Department of Water Resources to coordinate the biological opinions.

This first draft of a biological opinion provides information based on our understanding of existing operations (consistent with information Reclamation provided on August 28, 2011), the status of the species and environmental baseline, and a preliminary analysis of the effects of project operations on delta smelt. This first draft does not include a determination or incidental take statement. These elements will be included in subsequent drafts as Reclamation completes the biological assessment. We believe this first draft of a biological opinion will be useful as Reclamation begins NEPA analysis and in the subsequent completion of a biological assessment. We look forward to working with you throughout this process and appreciate your continued commitment to species and habitat protection.

enclosure