

From: **Will Stelle - NOAA Federal**  
Date: Mon, Mar 31, 2014 at 9:39 PM  
Subject: Concurrence  
To: David Murillo, Mark Cowin

David and Mark,

Thank you for your e-mail and your proposal to adjust the implementation of the San Joaquin inflow-to-export ratio Action IV.2.1 in NMFS' CVP/SWP operations biological opinion (BiOp) and reasonable and prudent alternative (RPA), effective tomorrow, April 1st.

Over the last 7 days, we and our senior technical teams have been engaged in intense and extensive discussions relating to the development of a drought operations and contingency plan (Plan) that spans April 1 through October 31, 2014, and that will include upstream and Delta operations. NOAA Fisheries has received, reviewed, and provided comments on a draft of the Plan and effects analysis and has worked with your representatives on our comments and recommendations. As discussed, a formal written package is being assembled that incorporates our verbal and written comments, and we expect to receive it in several days. We will be formalizing our decision with written communication upon receipt of your operations package.

In the meantime, based on the discussions and review of the proposal, we have all of the information we need right now to determine that your specific proposed adjustment to the implementation of Action IV.2.1 (to relax the 1:1 Vernalis inflow to export ratio and increase exports to capture the natural and abandoned flow resulting from the recent storms), together with other operations and proposals in your Plan, is consistent with the underlying analyses of our BiOp and its RPA. As a result, your proposed operation is not likely to jeopardize the continued existence of California Central Valley steelhead or result in the adverse modification of their designated critical habitats, or exceed its incidental take limit. As such, your proposed operation conforms to the requirements of the Endangered Species Act and its implementing regulations.

We at NOAA Fisheries look forward to our continued close coordination as we work through this difficult drought year.

Sincerely yours,

Will Stelle

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**William W. Stelle, Jr.**  
*Regional Administrator*  
*NOAA Fisheries West Coast Region*  
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