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United States Department of the Interior

BUREAU OF RECLAMATION  
Mid-Pacific Regional Office  
2800 Cottage Way  
Sacramento, California 95825-1898

IN REPLY  
REFER TO:

CVO-100  
WTR.1-10

APR 26 2006

Mr. Rodney McInnis  
Regional Administrator  
National Marine Fisheries Service  
501 West Ocean Blvd., Suite 4200  
Long Beach, CA. 90802-4213

Subject: Request for Section 7 Consultation on the Long-term Central Valley Project and State Water Project Operations Criteria and Plan (OCAP)

Dear Mr. McInnis:

The purpose of this letter is to request initiation of Formal and Early consultation on the effects of the Coordinated Operations of the Central Valley Project and State Water Project (CVP and SWP operations) on the designated critical habitat for the Central Valley evolutionary significant units (ESUs) of steelhead (*Oncorhynchus mykiss*), spring-run Chinook salmon (*O. tshawytscha*), and Central California Coast ESU of steelhead (*O. mykiss*) (critical habitats) under section 7 of the Endangered Species Act of 1973, as amended (Act).

Reclamation and DWR also request initiation of Conferencing on the effects of the CVP and SWP operations on the Federally threatened southern distinct population segment of the North American green sturgeon (*Acipenser medirostris*) under section 7 of the Act. Should a biological opinion not be completed prior to the effective date of the final rule, Reclamation requests that the Conference consultation convert into a Formal and Early consultation.

Reclamation is requesting that your October 22, 2004, biological opinion be amended, as necessary, to analyze the effects of CVP and SWP operations on the green sturgeon and critical habitats. Reclamation's understanding is that your October 22, 2004, biological opinion will remain in force during the consultation. We request notification of any other Federally listed species or designated critical habitats that you have determined should be included in this consultation on CVP and SWP operations.

Specifically, for the Central Valley steelhead ESU, the designated critical habitat potentially affected by CVP and SWP operations includes the Delta channels, the San Joaquin River up to the mouth of the Stanislaus River, the Stanislaus River up to Goodwin Dam, the Sacramento

Subject: Request for Section 7 Consultation

2

River up to Keswick Dam, Clear Creek up to Whiskeytown Dam, the Feather River up to the fish barrier dam, and the American River up to Nimbus Dam. For the spring-run Chinook salmon ESU, the designated critical habitat potentially affected by CVP and SWP operations includes the Sacramento River up to Keswick Dam, Clear Creek up to Whiskeytown Dam, the Feather River up to the fish barrier dam, and the American River up to Watt Avenue, Sacramento County. For the Central California Coast Steelhead ESU, the closest the critical habitat comes to the Delta is San Pablo Bay and Napa River which empties into the west end of Carquinez Strait.

Reclamation is in the process of developing a biological assessment, which would be used for the consultation requested. We envision working closely with and your staff to identify and develop information needed relative to effects of our action so as to enable us to complete this consultation in a timely manner.

Reclamation has preliminarily determined that our ongoing CVP and SWP operations through October 6, 2006, will not destroy or adversely modify the critical habitats, and thereby complies with our section 7(a)(2) responsibilities under the Act. We base this preliminary determination on the fact that both our ongoing CVP and SWP operations, in accordance with your October 22, 2006 biological opinion, and the wet water year type, will ensure that all of the primary constituent elements of the critical habitats are preserved.

Please contact me directly at 916-979-2199 with any questions on this consultation request. Ms. Ann Lubas-Williams should continue to be contacted at 916-979-2068 with any questions related to the OCAP and biological assessment documents.

Sincerely,



Ronald Milligan  
Operations Manager

cc: CC-100  
MP-100, MP-105, MP-115, MP-150, MP-400, MP-700  
NC-100  
SCC-100

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Continued on next page.

Continued from previous page.

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