



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

July 25, 2006

In response refer to:
2006/03464

Alan R. Candlish
Regional Planning Officer
Bureau of Reclamation
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

Dear Mr. Candlish:

This letter acknowledges NOAA's National Marine Fisheries Service's (NMFS) June 19, 2006, receipt of your June 5, 2006, letter requesting initiation of formal section 7 consultation under the Endangered Species Act. The initiation package also contained the final version of the Action Specific Implementation Plan (ASIP) from the Bureau of Reclamation (Bureau) regarding the first stage of the South Delta Improvements Program (SDIP). The ASIP will serve as the biological assessment for the SDIP.

The first stage of the SDIP includes the construction and operation of four permanent structures in the South Delta. These structures will be placed at the Head of Old River where it diverges from the main channel of the San Joaquin River, Old River near Tracy, Middle River near Victoria Canal, and Grant Line Canal near its western terminus at Old River. The structures are intended to control water surface elevations and flow in the waterways of the region (Old River near Tracy, Grant Line, and Middle River locations) and control fish movements between the San Joaquin River and the South Delta via Old River (Head of Old River location). Installation of these structures will require disturbance of both the aquatic and terrestrial habitats surrounding their construction locations. In addition to the construction and operation of these four structures, dredging to improve water conveyance will be conducted in several locations within the South Delta region. The three primary locations for conveyance dredging are the West Canal adjacent to the State Water Project's Clifton Court forebay, Middle River between Old River and a point just north and west of the Howard Road bridge, and the reach of Old River from approximately Tracy Boulevard to the channel's intersection with Salmon Cut.

The consultation concerns the possible adverse effects of the stage 1 actions of the SDIP on endangered Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*), threatened Central Valley spring-run Chinook salmon (*O. tshawytscha*), threatened Central Valley steelhead (*O. mykiss*), and the threatened North American green sturgeon (*Acipenser medirostris*) or the critical habitat of the Central Valley steelhead. In addition, the Bureau has determined that the SDIP may adversely affect Essential Fish Habitat for Pacific Salmon (*Oncorhynchus spp.*), and is requesting consultation pursuant to section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act.



All information required of the Bureau to initiate formal consultation has now been included in the final ASIP, or is otherwise accessible for our consideration and reference. NMFS has assigned tracking number 2006/03464 to this consultation. Please refer to this file number in future correspondence regarding this consultation.

Section 7 allows NMFS up to 90 calendar days to conclude formal consultation with your agency and an additional 45 calendar days to prepare our biological opinion, unless there is a mutually agreed upon extension to this time frame. Therefore, we expect to provide you with a biological and conference opinion no later than November 2, 2006.

As a reminder, the Endangered Species Act requires that after initiation of formal consultation, the Federal action agency may not make any irreversible or irretrievable commitments of resources that limit future options. This practice insures agency actions do not preclude the formulation or implementation of reasonable and prudent alternatives that avoid jeopardizing the continued existence of endangered or threatened species or adversely modifying their critical habitats.

Please contact Mr. Jeffrey Stuart at 916-930-3607, or via e-mail at J.Stuart@noaa.gov if you have any questions concerning this response or require any additional information.

Sincerely,



for Rodney R. McInnis
Regional Administrator

cc: Copy to file – ARN 151422SWA1999SA5950
NMFS-PRD, Long Beach, CA
Katherine F. Kelly, Chief, Bay-Delta Office, California Department of Water Resources,
1416 9th Street, Sacramento, CA 95814