



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



IN REPLY REFER TO:

81420-2008-F-1997-2

AUG 28 2009

Memorandum

To: Richard Woodley, Regional Resources Manager, Bureau of Reclamation,
Sacramento, California

From: Susan Moore, Field Supervisor, Sacramento Fish and Wildlife Office,
Sacramento, California

Susan K. Moore

Subject: Request to Amend the 2009 Drought Water Bank Biological Opinion to Include a Water Transfer from Participating Tehama-Colusa Canal Authority Member Contractors to Participating San Luis Delta Mendota Water Authority Member Contractors

This memorandum responds to your August 20, 2009 request for an amendment to the 2009 Drought Water Bank Biological Opinion (DWB BO) (Service file 81420-2008-F-1997) to include a water transfer from participating Tehama-Colusa Canal Authority (TCCA) member contractors to participating San Luis-Delta Mendota Water Authority (SLDMWA) member contractors from the U.S. Fish and Wildlife Service (Service). In the 2009 DWB BO; the TCCA contractors were identified as potential water buyers. However, due to unanticipated increases to their CVP allocation from what was initially forecast, TCCA contractors have determined that they have water available for transfer.

Under this proposal, a maximum of 30,000 acre feet (af) of transfer water would be made available through a combination of groundwater substitution (up to 28,000 af) and voluntary crop shifting actions (up to 7,000 af) implemented during the 2009 water year. Crop shifting resulted generally from reductions in the amount of corn, tomatoes, cotton, and onions in production and replacing these crops with less water intensive crops of beans, sunflower, vineseed, and wheat. No rice lands were idled in order to make water available for these transfers.

We hereby amend page 10 of the 2009 Drought Water Bank biological opinion to move TCCA **from** the list of potential water buyers **to** the list of potential water sellers. All other aspects of the biological opinion remain the same. This change will not result in effects to listed species in a manner or to an extent not already considered in the 2009 Drought Water Bank biological opinion.

All transfer water will be conveyed through and diverted in the Delta by September 30, 2009 and either delivered to the participating SLDMWA member contractors by February 29, 2010, or rescheduled into storage at San Luis Reservoir by February 29, 2010. The transferred water

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would be used within the areas serviced by the San Luis and Delta-Mendota canals to irrigate only lands that were under irrigation during the last 3-year period (2006-2008). The delivery of the transfer water to such lands would not exceed the total CVP contract quantity for the respective contractors receiving the transfer water. These transfers are within the maximum quantities analyzed in the 2009 DWB BO, and the transfers will also comply with all of the Terms and Conditions contained in the 2009 DWB BO.

This response is provided pursuant to section 7(a) of the Endangered Species Act as amended (Act) (16 U.S.C. 1531 *et seq.*), and in accordance with the regulations governing interagency consultations (50 CFR §402). If you have any questions or concerns about this consultation or the consultation process in general, please contact Jan Knight or Mike Welsh of my staff at the letterhead address or at (916) 414-6700.

cc:

CDFG, Rancho Cordova, CA (Attn: Kent Smith)
NMFS, Sacramento, CA (Attn: Bruce Oppenheim)
DWR (Teresa Geimer)
Bureau of Reclamation
Shane Hunt
Tim Rust
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