



**United States Department of Commerce
United States Department of the Interior**



National Marine Fisheries Service
501 West Ocean Boulevard, Suite 4200
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U.S. Fish and Wildlife Service
1936 California Avenue
Klamath Falls, OR 97603

NMFS: SWR-2012-9372

FWS: 08EKLA00-2013-F-0014

MAY 31 2013

Mr. Jason Phillips
Area Manager
Bureau of Reclamation
6600 Washburn Way
Klamath Falls, Oregon 97603

Dear Mr. Phillips:

Thank you for your December 1, 2012, letters requesting initiation of formal consultation with NOAA's National Marine Fisheries Service (NMFS) and the U. S. Fish and Wildlife Service (USFWS; collectively the Services) pursuant to section 7(a)(2) of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). During the consultation period, NMFS received two letters from the Bureau of Reclamation (Reclamation) clarifying its proposed action on December 21, 2012, and May 29, 2013. The USFWS also received a letter from Reclamation clarifying its proposed action on May 3, 2013. This letter transmits the Services' integrated biological opinion for Reclamation's proposed operation of the Klamath Project from May 31, 2013, through March 31, 2023.

The enclosed integrated biological opinion describes the Services' analysis of the effect of Reclamation's implementation of the proposed operations of the Klamath Project through March 31, 2023, on the threatened southern distinct population segment (DPS) of North American green sturgeon (*Acipenser medirostris*), threatened southern DPS of Pacific eulachon (*Thaleichthys pacificus*), threatened Southern Oregon/Northern California Coast (SONCC) coho salmon (*Oncorhynchus kisutch*) evolutionarily significant unit (ESU), endangered Lost River sucker (*Deltistes luxatus*), endangered shortnose sucker (*Chasmistes brevirostris*), and designated critical habitat for the southern DPS of Pacific eulachon, SONCC coho salmon ESU, Lost River sucker, and shortnose sucker in accordance with section 7(a)(2) of the ESA.

NMFS concurs with Reclamation that the project, as proposed, is not likely to adversely affect the southern DPS of North American green sturgeon, the southern DPS of Pacific eulachon, and critical habitat for the southern DPS of Pacific eulachon. Based on the best available scientific and commercial information, the Services conclude that the action, as proposed, is not likely to jeopardize the continued existence of the SONCC coho salmon ESU, Lost River sucker, and shortnose sucker; and is not likely to result in the destruction or adverse modification of critical habitat for the SONCC coho salmon ESU, Lost River sucker, and shortnose sucker. However, the Services expect incidental take of SONCC coho salmon, Lost River sucker, and shortnose

sucker, as well as adverse effects to designated critical habitat for SONCC coho salmon, Lost River sucker, and shortnose sucker, as a result of implementation of the proposed action.

The Services appreciate Reclamation's close coordination and collaboration throughout the development of the proposed action and consultation period. We look forward to providing appropriate assistance during Reclamation's implementation of its new and innovative water management approach that should better optimize limited water supplies to benefit listed fish and farmers. If you have any questions regarding this biological opinion, please contact Ms. Irma Lagomarsino of NMFS at (707) 825-5160 or Ms. Laurie Sada of USFWS at (541) 885-2507.

Sincerely,



for William W. Stelle, Jr.
Acting Regional Administrator
NMFS Southwest Region



Laurie R. Sada
Field Supervisor
Klamath Falls Fish and Wildlife Office

Enclosure

cc: w/enclosure
Ren Lohofener, USFWS, Southwest Pacific Region
Irma Lagomarsino, NMFS, Southwest Region
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