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**From:** Joe Heublein - NOAA Federal <joe.heublein@noaa.gov>  
**Sent:** Tuesday, February 26, 2019 11:31 AM  
**To:** Brian Ellrott; Howard Brown; Cathy Marcinkevage; Barbara Byrne - NOAA Federal  
**Subject:** Re: Feather language 2009 OCAP

Feather River action area in ROC LTO (Gridley to Verona) and the 2009 OCAP (Oroville to Verona)-

ROC LTO-

### 1.2 Action Area

The action area is defined as all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action (50 CFR 402.02). For the purposes of this biological assessment, the action area encompasses the following reservoirs, rivers, and the land between the levees adjacent to the rivers: (1) Trinity Reservoir and Trinity River downstream of Lewiston Reservoir; (2) Sacramento River from Shasta Lake downstream to and including the Sacramento–San Joaquin Delta; (3) Clear Creek from Whiskeytown Reservoir to its confluence with the Sacramento River; (4) Feather River from the FERC boundary downstream to its confluence with the Sacramento River; (5) American River from Folsom Reservoir downstream to its confluence with the Sacramento River; (6) Stanislaus River from New Melones Reservoir to its confluence with the San Joaquin River; (7) San Joaquin River from Friant Dam downstream to and including the Sacramento–San Joaquin Delta; (8) San Francisco Bay and Suisun Marsh; and (9) the nearshore Pacific Ocean on the coast from Point Conception to Cape Falcon in Oregon. The action area was derived by considering several factors to account for potential effects of the proposed action. Shasta, Whiskeytown, Oroville, Folsom, and New Melones dams and reservoirs are part of the Central Valley Project operations, and therefore within the Action Area. Reclamation diverts water from the Trinity River watershed to the Sacramento River through Carr Powerplant and Spring Creek tunnel. The amount of this diversion affects flows in both the Trinity and Sacramento Rivers, affecting both Sacramento River listed species and Trinity River listed species. Therefore, the Trinity River downstream of Lewiston Reservoir is included in the action area. DWR already has undergone Section 7 consultation on the operations of Oroville Dam on the Feather River through the Federal Energy Regulatory Commission’s (FERC) process. Oroville Dam is part of the coordinated operations of the CVP and SWP; however, its effects have been addressed previously in the USFWS and NMFS biological opinions through the FERC process. This consultation addresses effects of Oroville operations that are downstream of the FERC boundary in the Feather River to the Delta, and coordinated effects with CVP operation.

2009 OCAP-

### 3.2 Action Area

The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR 402.02). For the purposes of this biological opinion, the action area encompasses: (1) Sacramento River from Shasta Lake downstream to and including the Sacramento–San Joaquin Delta; (2) Clear Creek from Whiskeytown Reservoir to its confluence with the Sacramento River; (3) Feather River from Oroville Dam downstream to its confluence with the Sacramento River; (4) American River from Folsom Lake downstream to its confluence with the Sacramento River; (5) Stanislaus River from New Melones Reservoir to its confluence with the San Joaquin River; (6) San Joaquin River from the confluence with the Stanislaus River downstream to and including the Sacramento–San Joaquin Delta; (7) San Francisco Bay; and (8) the nearshore Pacific Ocean on the California, Oregon, and Washington coasts.

On Mon, Feb 25, 2019 at 3:12 PM Joe Heublein - NOAA Federal <[joe.heublein@noaa.gov](mailto:joe.heublein@noaa.gov)> wrote:

All,

Here's what we had to say about the Feather River in the OCAP effects analysis. Should we include this in ROC LTO with some updating to reflect the status of the latest BO and FERC license?

The Oroville Complex (Oroville Dam and related facilities, including the FRFH) is part of the SWP. DWR has been operating the Oroville Complex under a FERC license and is currently undergoing a relicensing process with FERC. The FERC license expired in January 2007, and until a new license is issued, DWR operates to the existing FERC license. FERC is currently in consultation with NMFS regarding the effects of relicensing the Oroville Complex for 50 years. Because the effects of the Oroville Complex are considered in the ongoing FERC consultation, the effects of operation of Oroville Dam on listed fish within the Feather River is not considered in this consultation. The analytical cutoff point of the hydrologic effects in the FERC analysis is at the Feather River's confluence with the Sacramento River. The effects of the flows from the Oroville Complex on all listed fish under NMFS jurisdiction in the Sacramento River and Delta are considered in this consultation.

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