



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

In response, refer to:
1991/00317:APS

JUL 24 2008

Michael Jackson
U.S. Bureau of Reclamation
1243 N Street
Fresno, California 93721-1813

Dear Mr. Jackson:

This letter transmits NOAA's National Marine Fisheries Service's (NMFS) final biological opinion for the Bureau of Reclamation's (Bureau) proposed approval of United Water Conservation District's (United) plans to operate the Vern Freeman Diversion Dam on the Santa Clara River. This biological opinion addresses effects of the proposed action on the endangered Southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*) and critical habitat for this species in accordance with Section 7 of the U. S. Endangered Species Act (ESA) (16 U. S. C. 1531 *et seq.*).

The biological opinion concludes the proposed action is likely to jeopardize the continued existence of the endangered Southern California DPS of steelhead and is likely to destroy or adversely modify critical habitat for this species. The biological opinion includes a reasonable and prudent alternative that is necessary and appropriate to avoid the likelihood of jeopardizing the continued existence of the DPS and destroying or adversely modifying critical habitat.

Please call Anthony Spina at (562) 980-4045 if you have any questions concerning this biological opinion or if you would like additional information.

Sincerely,

for 

Rodney R. McInnis
Regional Administrator

Enclosure



