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For Immediate Release

As Delta Smelt Plummets Toward Extinction, New Rules Allow Increased Kill
Decision Will Streamline Water Exports and Transfers from Sacramento/San Joaquin Delta during On-Going Drought at the expense of endangered fisheries

A recent Obama Administration decision allows more than twice as many endangered Delta smelt to be killed by giant government pumps than was previously allowed. The policy was adopted days after the annual California Department of Fish and Wildlife (CDFW) population abundance survey confirmed that populations of the tiny, once-abundant fish have crashed to new lows.

Fishery and water policy reform advocates noted that the development is about more than the Delta smelt, a small and innocuous fish endemic to the Sacramento/San Joaquin Delta. The smelt is considered a prime indicator species for the health of northern California's Bay/Delta system, the largest estuary on the west coast of the continental United States.

"As goes the Delta smelt, so goes the Delta," said Bill Jennings, the executive director of the California Sportfishing Protection Alliance. "The crisis isn't limited to the smelt. All the (Bay/Delta's) pelagic species are in trouble. This decision by the U.S. Fish and Wildlife Service to unilaterally approve the U.S. Bureau of Reclamation's request to more than double the permissible killing of Delta smelt two days after the Service learned that population abundance of Delta smelt had collapsed to an historical new low is simply reprehensible."

The Delta smelt "take" limit in the present Biological Opinion for the state and federal export pumping facilities, pursuant to the federal Endangered Species Act, is 78 adult fish. As of 7 January 2015, the state and federal export pumps had already "taken" 56 Delta smelt and were approaching the limit, which would limit export pumping. On 9 January 2015, the Bureau of Reclamation requested a "Reinitiation of Consultation" of the Biological Opinion with the Fish and Wildlife Service. The Service increased the interim incidental take limit of Delta smelt to 196 adult smelt the same day.

Since 1967, the CDFW has conducted an annual abundance survey of Delta fish populations, which consists of monthly (Sept-Dec) trawls at more than 100 sites throughout the estuary. On 7 January 2015, CDFW revealed that the population abundance of Delta smelt had fallen to a new record low that was almost half of the previous record low in 2009. Only 9 Delta smelt were collected in more than 400 individual trawls spanning the four months.

Jennings called the decision a "back-room deal" that will allow pumps linked to massive state and federal water projects to kill 25 times the total number of adult smelt than were identified in CDFW surveys between September and December of 2014.

“It’s morally indefensible and legally questionable,” he said. “It raises the question of whether the Obama Administration is the protector or executioner of an endangered species that was once the most numerous fish in the Delta.”

Tom Stokely, a senior water policy analyst for the California Water Impact Network, lambasted the decision.

“This secret accord comes at a time when California Senators Dianne Feinstein and Barbara Boxer are calling for ‘science’ to guide all negotiations on California’s contentious water issues,” Stokely said. “This action cannot be justified by available science. It has nothing to do with science, and everything to do with political pressure from powerful interests who want to maintain a stranglehold on our state’s public water.”

Carolee Krieger, the executive director of the California Water Impact Network, observed that the move evokes the age-old adage of *cui bono* – literally, “to whose benefit?”

“In this case, there is only one beneficiary,” Krieger said, “and that’s San Joaquin Valley agribusiness. An increased Delta smelt kill translates directly as ongoing, excessive and subsidized water transfers to toxic San Joaquin Valley croplands owned by a handful of politically powerful corporate farmers. I’m outraged by the hypocrisy of the federal agencies responsible for this action. They are not simply ignoring their responsibility of protecting an endangered species and public trust resources. They are actively working against their primary mandate. We expected better from the Obama administration.”

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The U.S. Fish and Wildlife Service’s Memorandum to the Bureau of Reclamation reinitiating consultation for the Central Valley Project Operations Criteria and Plan and Reclamation’s request can be found at <http://www.fws.gov/sfbaydelta/cvp-swp/cvp-swp.cfm>

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The California Water Impact Network (C-WIN, online at www.c-win.org) promotes the just and environmentally sustainable use of California's water, including instream flows and groundwater reserves, through research, planning, media outreach, and litigation.

The California Sportfishing Protection Alliance is a non-profit conservation and research organization established in 1983 for the purpose of conserving, restoring, and enhancing the state's water quality and fishery resources and their aquatic and riparian ecosystems. www.calsport.org