



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Sacramento Area Office  
650 Capitol Mall, Suite 8-300  
Sacramento, California 95814-4706

APR 6 2009

Chris Carr  
State Water Resources Control Board  
Division of Water Rights  
Cal/EPA Headquarters  
1001 "I" Street  
Sacramento, California 95814

Subject: Comment Letter –Southern Delta Salinity/San Joaquin River Flows WQCP Workshop

Dear Mr. Carr:

This letter concerns the February 13, 2009, request for technical information in support of the State Water Resources Control Board's (Board) upcoming workshops regarding Southern Delta salinity and San Joaquin River flows. The National Marine Fisheries Service (NMFS) is concerned about flows and salinity with respect to their affects on Federally threatened Central Valley steelhead (*Oncorhynchus mykiss*) under the authority of the Endangered Species Act, and fall-run Chinook salmon (*O. tshawytscha*) under the Magnuson-Stevens Fishery Conservation and Management Act.

As presented in our testimony to the Board on September 17, 2008, the populations of Central Valley steelhead in the San Joaquin basin tributaries and the Calaveras River represent a unique diversity group of this species, the Southern Sierra Nevada Diversity Group. All known populations of this diversity group are critically low. Additionally, fall-run Chinook populations are at an unprecedented low, with the runs on the main tributaries of the San Joaquin River being particularly affected. We refer to testimony presented to the Board by the US Fish and Wildlife Service, also on September 17, 2008, and NMFS' recent report on the collapse of the Sacramento River salmon population available at: [http://swr.nmfs.noaa.gov/news\\_media.htm](http://swr.nmfs.noaa.gov/news_media.htm). This latter report identifies the impact that ocean conditions have had in recent years on salmon survival. It also identifies that habitat related actions that affect salmon life history stages in freshwater systems have a long-term effect on the resiliency and persistence of the species.

San Joaquin Basin salmonids face serious obstacles through the Delta on their migration to and from the tributaries to complete their life cycles. Low flows are likely to delay, or even prevent, the successful movement of young fish downstream and adult fish upstream. Delayed migration increases exposure of fish to many threats to their survival including entrainment, predation and impacts from poor water quality. Exports from the South Delta are likely to increase the negative



impacts of low San Joaquin flows by further reducing the fish's ability to navigate and by directly increasing the number entrained. Sufficient flows at Vernalis are needed to ensure that net flows through the delta are adequate to guide fish to and from the rivers and bay.

The analyses referred to above include studies conducted under the Vernalis Adaptive Management Program, and NMFS is presently conducting additional analyses in the development of a biological opinion on Reclamation's long-term Operations Criteria and Plan (OCAP) for the Central Valley Project and State Water Project. This document is scheduled for completion on June 2, 2009, and will be made public at that time.

NMFS is not prepared to provide specific recommendations for San Joaquin River flows at this time. We would emphasize that San Joaquin River flows at Vernalis include flows from three upstream tributaries, the Merced, Tuolumne, and Stanislaus Rivers, each of which contain fall-run Chinook salmon and Central Valley steelhead. Sufficient flows on each of the tributaries are important for spawning, rearing, and outmigration of salmonids in the San Joaquin basin. NMFS urges the Board to consider these beneficial uses as flow standards are developed for the San Joaquin Basin.

Thank you for this opportunity to provide technical information for this process. NMFS will assist the Board and participate in the Workshop process to the extent that our resources allow. Please contact me at (916) 930-3600, or have your staff contact Rhonda Reed at (916) 930-3609 or via e-mail at [rhonda.reed@noaa.gov](mailto:rhonda.reed@noaa.gov), if you require any additional information.

Sincerely,



*FOR*  
Maria Rea  
Sacramento Area Office Supervisor

cc: Copy to file – ARN 151422SWR2004SA9238