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OC Print-Mail Center

From: Halter, Amanda (OC)
Sent: Thursday, March 19, 2009 2:25 PM
To: 'Deborah Woodward'; David Meyer
Cc: Garrett, Christopher (SD); Peter MacLaggan; Chiara Clemente; Catherine Hagan (George)
Subject: RE: Follow-up to March 9 Minimization Plan

Debbie,

Forgive me for misunderstanding your question - what additional clarification/information are you seeking with regard to #2?

Thank you,
Amanda

From: Deborah Woodward [mailto:DWoodward@waterboards.ca.gov]
Sent: Thursday, March 19, 2009 11:41 AM
To: David Meyer
Cc: Halter, Amanda (OC); Garrett, Christopher (SD); Peter MacLaggan; Chiara Clemente; Catherine Hagan (George)
Subject: Follow-up to March 9 Minimization Plan

Hi David,

Please see the attached emails relating to my request for clarification on a few things. (Chris's 3/13 email said I should contact you.)

It would be great if you could briefly respond to #1 and #2. I realize these concerns may be relatively minor in the big picture - but I would like to get closure on them.

As for #2, I very much appreciate Amanda's earlier response and understand her explanation, but feel her response does not quite provide the clarification requested.

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I look forward to hearing from you. Will be in today till about 3:00 and out tomorrow, but I'll be checking email and voicemail off and on. Thanks!

Cheers,
Debbie

Deborah L. Woodward
Water Quality Standards Unit
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
phone: 858-637-5586
fax: 858-571-6972
email: dwoodward@waterboards.ca.gov

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From: Halter, Amanda (OC)
Sent: Thursday, March 19, 2009 2:26 PM
To: 'Deborah Woodward'
Cc: Garrett, Christopher (SD); Peter MacLaggan; Chiara Clemente; Catherine Hagan (George); David Meyer
Subject: RE: Follow-up to March 9 Minimization Plan

With regard to the first question, please note the response below:

This responds to staff's request that Dr. Mayer explain the slight, 1.3 kg (1315 g) difference between the calculated total biomass weight for all 52 sample says in Table 5-1 of the Minimization Plan and in Tables A & B in Attachment 8.

Table 5-1 indicates that the number of fish impinged fish during the sampling period was 19,442, including fish impinged at the screens and bar racks. This is corroborated by Tables A & B, which present this same data in taxon-by-taxon format, separated between screen and bar rack impingement. Table 5-1 calculates the total biomass of the 19,442 fish as 372,520 grams; Tables A & B provide a nearly identical total biomass of 373,835 grams. This represents a difference of 1315 grams over about 373,000 grams, or 0.35%.

This small difference arises because two different methods were used to calculate the fish weights for Table 5-1 and Tables A & B. The consistency achieved through two different methods gives confidence in the results, and is not a basis for staff to be concerned.

The fish weights in Table 5-1 represent *actual* weights of the collected specimens, one approach to recording biomass impinged. In contrast, Tables A & B reflect of combination of *actual* weights for those fish collected intact and *average* taxon weight for those fish collected in a mutilated state. That is, under the approach used for Tables A & B, the intact and mutilated specimens were treated differently to account for the fact that mutilated fish generally weigh less than intact fish. For each species of mutilated specimens, Tenera assigned an "average" weight for each taxon that was based on the weights of undamaged specimens collected throughout the year. Then, when a specimen was listed as "mutilated" on the field data sheet, Tenera replaced the actual weight with the "average" weight for that taxon in order to present a more accurate estimate of the impinged biomass. Thus, when the weight differences between the actual weight of the non-mutilated fish and the average taxon weight for the mutilated fish were added up over the entire sampling period, the total weights under the second approach were somewhat greater than the total weights calculated using only actual weights.

From: Deborah Woodward [mailto:DWoodward@waterboards.ca.gov]
Sent: Thursday, March 19, 2009 11:41 AM
To: David Meyer
Cc: Halter, Amanda (OC); Garrett, Christopher (SD); Peter MacLaggan; Chiara Clemente; Catherine Hagan (George)
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OC Print-Mail Center

From: Deborah Woodward [DWoodward@waterboards.ca.gov]
Sent: Monday, March 30, 2009 12:47 PM
To: Halter, Amanda (OC)
Cc: Garrett, Christopher (SD); PMacLaggan@poseidon1.com; dmayer@tenera.com; Chiara Clemente; Catherine Hagan (George)
Subject: RE: Follow-up to March 9 Minimization Plan (weights)

Amanda,

Thank you for explaining the reason for the minor weight discrepancy between the tables. I very much appreciate your detailed and informative response (sent March 19, 2009, below). I understand now that the weights of impinged organisms on Poseidon's table are without adjustment to account for mutilated/fragmented specimens, whereas the weights on Tenera's table are with an adjustment for damaged specimens, and this explains why the total weights on Poseidon's table are slightly different to (less than) the total weights on Tenera's table.

A couple notes...

Because the third paragraph of your response suggests that the small difference in weight was of concern to staff, I would like to reiterate that the small difference was never my concern. Rather, my concern all along was the lack of exact correspondence between an originally relied-upon table and a newly produced table that appeared to represent the same information. [I had hoped that our letter dated February 27, 2009 made this clear: "While the differences are minor, Dr. Woodward is concerned that the data should be identical if it represents the same information as the tables in the 2008 Tenera Report."]

Referring again to paragraph three of your response...you mention that "the consistency achieved through two different methods gives confidence in the results..." It occurs to me that consistency between total weights of impinged organisms with and without adjustment for mutilated specimens has less to do with confidence in the results, and perhaps more to do with relatively few mutilated fish collected throughout the year.

Thanks again,
 Debbie

>>> <Amanda.Halter@lw.com> 3/19/2009 2:26 PM >>>

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Latham & Watkins LLP

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