



SENT VIA E-MAIL

November 5, 2012

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
choppin@waterboards.ca.gov
fweber@waterboards.ca.gov
tdoduc@waterboards.ca.gov
smoore@waterboards.ca.gov
fmarcus@waterboards.ca.gov

Re: Workshop 2: February Flows

Dear Members of the Board:

The San Joaquin Tributaries Authority (“SJTA”) previously sent the State Water Resources Control Board (“State Water Board”) information that suggested increasing February flow requirements would not achieve the highest water quality consistent with maximum benefit to the people of the State of California. (SJTA letter dated May 29, 2012.) Information provided to the State Water Board in the Bay-Delta Fishery Resources Workshop (“Workshop 2”) further supports the conclusion that increasing flows beginning in the month of February will not benefit the salmon population. In fact, some information suggests increasing February flows may be detrimental to the salmon population.

At Workshop 2, the Sacramento Valley Water Users and the Northern California Water Agency submitted the testimony of David Vogel. In his written submittal, Mr. Vogel suggested pushing salmonids through the Delta as early as February could harm salmon populations. Specifically, the information indicated flushing more water through the Delta earlier threatens the viability of fish species due to exposing fish to risks such as predation, ocean harvest, and volatile and uncertain ocean conditions. For example:

2617 K Street, Suite 100
Sacramento, California 95816
(916) 993-3962
(916) 993-3688-fax

117 Meyers Street, Suite 110
Chico, California 95928
(530) 899-9755
(530) 899-1367-fax

Mailing Address:
Post Office Box 9259
Chico, California 95927

“The earliest life phases suffer the greatest losses, whereas the later life phases can be expected to have higher survival rates and more likely reach the adult life phase, perpetuating the population. Ultimately, minimizing exposure of juvenile salmonids to potentially lethal factors in the Delta will provide a major complement to past and ongoing efforts to save salmonids in upstream areas.”

(Vogel, Workshop 2, Written Submission by Sacramento Valley Water Users, Glenn-Colusa Irrigation District, and northern California Water Association, at 16.)¹

In addition, the Department of Water Resources’ written submittal observed that rearing time in the Delta is important for salmon survival once they enter the ocean, and the previous management practice of moving young salmon through the Delta as quickly as possible ignores the important life development stage that occurs in the Delta to maintain a viable population. (Department of Water Resources, Workshop 2, Written Submission, at 18-19.) This evidence suggests it may be counterproductive to rebuilding salmon populations to flush young salmonids through the Delta at early stages of life, depriving them the vital rearing stage to prepare them for ocean conditions and hazards. In addition, this information suggests conditions *within* the Delta, such as predation, must be directly addressed and cannot be remedied by flushing fish through the Delta with higher flow rates early in the year.

In light of the information the State Water Board received in Workshop 2, the SJTA requests the State Water Board evaluate the environmental impact of increasing February flows and consider limiting the period of potential increased flow on the San Joaquin River to begin in March.

Very truly yours,
O’LAUGHLIN & PARIS LLP



TIM O’LAUGHLIN

TO/tb
cc: San Joaquin Tributaries Authority

¹ See also, [Observing that rearing in the Delta is important for salmon survival once they enter the ocean.