

WORKSHOP COMMENTS

**Consideration of Potential Amendments or Revisions of the
Water Quality Control Plan for the
San Francisco Bay/Sacramento-San Joaquin Delta Estuary**

Salmon Narrative Objective

**State Water Resources Control Board
November 15, 2004**

**Supplemental Comments
of the
California Department of Fish and Game**

On October 27 and 28, 2004, the SWRCB received comments on the subject of the salmon narrative objective included in the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as part of the Periodic Review of the Plan. Several issues were raised by parties at the workshop regarding progress toward meeting the objective. The SWRCB requested further comments on these issues from the Department of Fish and Game. These supplemental comments are intended to address these issues.

Issue #1. Central Valley Chinook salmon populations have increased significantly in recent years. Significant progress has been made toward meeting the salmon narrative objective. NOAA Fisheries has proposed the downlisting of Sacramento River winter-run Chinook from endangered to threatened status. No further oversight may therefore be needed by the SWRCB to monitor progress toward meeting the narrative objective.

As stated in our previous comments, through the efforts of many state and federal agencies and water districts in the Central Valley, we are monitoring the progress toward meeting the doubling goals in the state act, CVPIA, and the SWRCB narrative salmon objective. Population trends observed since the initiation of major restoration programs tell a mixed story. In some streams, such as the Mokelumne River, Butte Creek, Clear Creek, and Battle Creek, the benefits of restoration efforts are clearly reflected in increasing populations of some Chinook runs. However, for many populations of listed spring-run Chinook, the listed winter-run Chinook population, and San Joaquin River Basin fall-run Chinook populations, estimates of natural production are far below the production targets established under the CVPIA programs.

We do not concur that the progress achieved thus far diminishes the need for further restoration, monitoring, or continued vigilance. NOAA Fisheries has proposed the downlisting of Sacramento River winter-run Chinook. However, the Department of Fish and Game does not concur with this listing change. Despite some improvement in the inland escapement in the last few years, the species continues to consist of a single population displaced from its historic range. The run remains listed as endangered under the California Endangered Species Act, and we intend to continue to use state authority under the Act as necessary to fully protect, conserve, and restore the run.

In addition, fall-run salmon populations in the San Joaquin River Basin are not making progress toward meeting the narrative doubling goal. This is, in part, due to drought conditions during the first six years of the Vernalis Adaptive Management Plan (VAMP) implementation and an inadequate study design. Consequently, little to no progress has been made toward meeting the WQCP narrative goal, or toward completion of valid VAMP evaluations.

We are continuing to attack the many problems that have adversely affected salmon populations. We recognize that the changes in salmon production that we see are the result of the collective effects of our various salmon restoration and protection actions combined with the effects of factors that we cannot control, such as environmental

conditions in the ocean. We believe that we must see the response of more generations of salmon before we can determine whether the multifaceted restoration and protection program and the improved conditions provided by the 1995 WQCP will be sufficient to achieve and sustain target levels of natural production of salmon.

We therefore recommend that the SWRCB continue monitoring the progress toward meeting the salmon narrative objective in the WQCP, particularly for populations that have shown little to no recovery since 1995.

Issue #2. The SWRCB should expand the geographic scope of the Periodic Review to include flow, water quality, and fish passage issues upstream of the Delta, as they relate to the salmon narrative objective in the WQCP.

Several parties have recommended the expansion of the geographic scope of the Review to include consideration of fishery issues upstream of the Delta, including Red Bluff Diversion Dam issues. Relative to the salmon narrative objective, the SWRCB staff report states that "It is staff's opinion that the periodic review workshops should focus on habitat conditions and restoration efforts within the Delta itself, and not expand the focus of the Plan to Delta tributaries. The CVRWQCB has primary authority to set water quality and temperature objectives in the tributaries to protect fishery uses as part of its basin planning program." We concur with the limitation of the scope of the current Review process to conditions within the geographic area of the Delta. We recognize that meeting the narrative objective may require many improvements in flow and water quality, physical habitat quality, and fish passage in the tributaries upstream of the Delta, but we understand the limitations of the current review process.

As stated in our previous comments, we recommend that the SWRCB, in evaluating future proposals for water use in the Bay-Delta watershed, continue to insure full implementation of the Basin Plan Objectives described in the plan for the Central Valley streams where salmon and steelhead spawning, rearing and migration are identified as beneficial uses of water. To assure that our collective efforts have the best chance of attaining the narrative salmon objective, the SWRCB should continue to implement its anti-degradation policy in these waters when it considers applications for permits to divert water. Temperature, dissolved oxygen, and metals are examples of water quality objectives that are vital to increasing and then sustaining salmon production. We also recognize that instream flow improvements will be needed in tributaries to the Bay-Delta to meet the salmon narrative objective. As information becomes available, we will bring flow issues in the upstream tributaries to the attention of the SWRCB, in accordance with state water rights authority.

Issue #3. The salmon narrative objective in the WQCP should also include Central Valley steelhead (*Oncorhynchus mykiss*).

Central Valley steelhead are a state and federally-listed threatened species. The species is included in the restoration goals of both the California Salmon, Steelhead Trout, and Anadromous Fisheries Program Act (Fish and Game Code Sections 6900-6924), and the federal Central Valley Project Improvement Act. Steelhead are the focus of many current management and restoration actions. We therefore recommend that Central Valley steelhead also be included in the narrative objective in the WQCP.