



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

NATIONAL MARINE FISHERIES SERVICE

Sacramento Area Office

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Sacramento, California 95814-4706

January 14, 2010

Phillip Crader, Senior Environmental Scientist
Division of Water Rights
State Water Resources Control Board
Via e-mail: Bay-Delta@waterboards.ca.gov

Dear Mr. Crader,

Below are the National Marine Fisheries Service's responses to the questions you posed in your e-mail of 1/7/2010 regarding suggestions and procedures for the SWRCB's Delta Flow Criteria proceeding.

(1) Group Organization

NMFS plans to present our own summary at the proceeding, though we do intend to coordinate with the other fishery agencies as we prepare our witness lists and materials. We would be happy to participate on a "fishery agency panel" if the board wishes to organize the proceeding in that way, though we hope that would not preclude our participation in the issue-based panels.

(2) Suggested topics for expert panels

- *issues in the upper San Joaquin River (i.e. upstream of Vernalis) *ex. the SJRRP*
- issues in the Southern Delta *ex. low DO, necessary transport flows for migrating fish*
- *issues in the upper Sacramento *ex. temperature management, habitat suitability*
- issues in the northern Delta *ex. necessary transport flows for migration fish*
- X2 *ex. effects of maintaining X2 on storage and potential for using salinity to control non-native species.*
- Old & Middle River Flows

*We recommend that the panels dealing with upstream issues be seated later in the proceeding; experts can then comment on the possible interactions of suggested in-Delta flow criteria on the ability to meet existing temperature and flow requirements upstream.

A few general suggestions:

- we urge the board to consider setting flow criteria for points throughout the Delta
- we urge the board to invite discussion of Delta inflow needs, for example the need to maintain olfactory cues from different basins for migrating salmonids
- we urge the board to ask experts about the upstream effects of alternative Delta flow criteria
- we note that temporary barriers and behavioral barriers encourage high predation for juvenile salmonids; these effects must be considered in flow scenarios depending on these types of measures.

Sincerely,

Michael Tucker, Chief
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