

## Delta Smelt Working Group Meeting/Conference Call Minutes

January 9, 2006

Participating: Mike Chotkowski (USBR), Mike Dege (CDFG), Kevin Fleming (CDFG), Sheila Greene (CDWR, guest), Lenny Grimaldo (CDWR), Bruce Herbold (USEPA), Tracy Hinojosa (CDWR), Peter Johnsen (USFWS), Ann Lubas-Williams (USBR), Matt Nobriga (CDWR), Ryan Olah (USFWS), Ted Sommer (CDWR), Jim White (CDFG) and Victoria Poage (USFWS, convener and scribe)

### For Discussion:

1. Continuing recommendation for precautionary action
2. Spring HORB
3. Process for submittal of dissenting opinions
4. Jerry Johns' data analysis
5. Recent issues put to the POD Management Team

### Recommendation for WOMT:

No changes to the Working Group's earlier recommendation for implementation of a 15% E/I.

1. For the time being, the Working Group will let stand its recommendation of December 16, 2005 for a precautionary implementation of a 15% export-to-inflow ratio, to extend at least through January. The Working Group identified a need for maturity information from the Chipps Island Trawl and the salvage facilities. As delta smelt mature and the onset of spawning approaches, the Working Group will begin to consider any potential need for actions to protect larval smelt. More winter storms are forecast, but precipitation will be difficult to predict. San Joaquin River flows are expected to remain strong for at least a week. The Working Group will continue to monitor real-time data and use the DSRAM to guide the recommendation process.
2. The Working Group reiterated that not just the HORB but all south Delta barrier operations can affect delta smelt. The VAMP Management Group will meet February 20, by which time more monitoring data will be available, including salvage and the Kodiak Trawl Survey. It was recommended that Working Group members review the analyses done for the SDIP on barrier impacts. Further discussion was postponed until more data becomes available.
3. It is not reasonable to expect that all members of the Working Group will agree on all things, or that the Working Group will always be able to arrive at a consensus recommendation. The OCAP B.O. anticipated this, and provides for dissenting opinions to be presented to WOMT along with majority recommendations. If the Working Group, after vigorous and candid discussion of all relevant data, cannot arrive at a consensus recommendation, then a dissenting argument will be formulated and summarized in writing. The dissenting statement will be provided to the Working Group for review and comment before it is brought to the WOMT, just as is the consensus recommendation,

and once accepted, it will become part of the permanent administrative record of the Delta Smelt Working Group.

4. Jerry Johns has provided an alternative data analysis to the WOMT, an early version of which was forwarded to the Working Group for their review. To ensure that the Working Group has the latest version, Tracy Hinojosa will re-send the files. The Working Group was asked to review and send comments to Victoria ASAP, with a deadline of about 11:30 Tuesday, for discussion at WOMT.

5. Several issues have recently come before the POD Management Team and have been shared with the Working Group. Most of the issues are not relevant to either the POD or to the Working Group. Issues involving the Delta power plants are in the process of resolution by agency staff and do not involve the Working Group. The issue of predication of recommendations for fish actions on delta smelt abundance and distribution is relevant. The Working Group's current recommendation of a 15% E/I, which is occurring because of current conditions and not because of a WOMT decision, is a precautionary recommendation based upon very high concern for what is apparently a record low abundance, and is intended to maximize adult survival and subsequent recruitment. The technical basis for the action is taken from observations of historical salvage patterns indicating that winter salvage may be problematic and from particle tracking studies indicating that lowering the E/I below 15% may decrease entrainment. Neither the POD Management Team nor the Working Group will formally respond to these issues. The Working Group's charge is fairly narrowly defined by the OCAP opinion and clearly states that the Working Group is set up to consider only problems relevant to Project operations and provide advice to the Service (and, by extension, to the WOMT). Working Group members will brief their managers to remind them of this, and Victoria and Ryan will bring this to FWS management, who will in turn bring it to the WOMT and others as appropriate.

6. Other items: The CDFG Larval Survey began this week; the Spring Kodiak Trawl will begin next week if operating conditions are safe. Safety considerations may cause a delay.

Action Items:

1. Kevin Fleming will communicate with Russ Gartz about reporting the gonadal maturity of salvaged delta smelt.
2. The Working Group will review and provide comments on Jerry Johns' data analysis for Victoria to bring to the WOMT on Tuesday.
3. All Working Group members will remind their managers of the Working Group's scope of work.

Next Conference Call: Tuesday, January 17 at 9:00 am.

Submitted,  
VLP