

## **Fisheries Agencies' Water Operations Issues/Observations Draft 9/17/08**

At the request of the BDCP Governance Workgroup, the Fisheries Agencies (NMFS, DFG, FWS) share the following list of issues/observations on the existing water operations approach. We will discuss, from our perspectives, how the existing operational structure addresses each of these and where there may be room for improvement in a new BDCP structure or any process.

### **Tributary-Delta Systemwide Decision-making**

Any decision structure has to integrate upstream fisheries needs with in Delta fisheries needs. The existing structure has ops groups for several of the tributaries, including American River, Clear Creek, and Sac River Temp. Workgroup. These groups help to inform the adaptive management processes. Will the BDCP provide a new "ops group" for the Delta? If so – how will this be integrated with the entire system (i.e. Re-initiation of OCAP or some other process).

### **Transparency**

Any decision making process has to be transparent both for those agencies involved in decisions and to outside interested parties. If one or two parties have more operational and modeling expertise, then efforts need to be made to share access to this information, and ensure that assumptions are clearly stated. If actions requested by fisheries agencies are infeasible, then the reason they are infeasible needs to be clearly articulated and documented (i.e. – physical constraints, legal constraints, financial constraints, water contracting constraints, tradeoffs between species, etc.)

### **Participation in annual forecasts**

Historically, annual forecasts and operations plans involved trade-offs between flow requirements required under D-1641, cold water management targets for salmonids, deliveries, power generation, and other project purposes. For example, the 2004 NMFS BO required USBR submittal of February forecast and projections of attaining temperature targets later in the year. Any future process will need to consider how these forecasts and operations plans are distributed and what form participation by fisheries agencies, State Water Resources Control Board, or other entities may take.

### **Participation in real-time (weekly or daily) decision making**

The current process uses the WOMT for weekly decision making, within the adaptive management framework of the biological opinions. Different technical sub-groups may feed recommendations into the WOMT. The fisheries agencies typically confer prior to the WOMT. Any process will need to establish decision-making rules for real-time management, including how disagreements are resolved, as well as the documentation thereof. In addition, the entity ultimately responsible for making a decision will need to be identified.

### **Post-season evaluation**

An evaluation of the effects of real-time and seasonal decision making after the decisions are complete is important to continuing to develop and learn from management decisions.

## CVP/SWP Operations Groups

**Goals common to all groups:** (1) Meet contractual obligations for water delivery, and (2) minimize adverse effects for listed species.

**Purpose:** Efficiently and effectively identify necessary modification of operations in consideration of (1) real-time data that includes current fish surveys, flow and temperature information, and salvage or loss at the project facilities; and (2) public health, safety, and water supply reliability.

**General Process:** A Fisheries or Operations Technical Team compiles and assesses current information regarding species, such as stages of reproductive development, geographic distribution, relative abundance, physical habitat conditions, then provides a recommendation to the regulatory agency (FWS or NMFS) with statutory obligation to enforce protection of that species. The regulatory agency's staff and management will review the recommendation and use it as a basis for developing, in cooperation with Reclamation and DWR, a modification of water operations that will minimize adverse effects to listed species. If Reclamation/DWR does not agree with the action, then the regulatory agency will make a final decision on an action that they deem necessary to protect the species. The outcomes of protective actions that are implemented will be monitored and documented, and this information will inform future recommended actions.

The three types of groups include:

### 1. Management teams, made up of management staff from Reclamation, DWR, FWS, DFG, and NMFS:

**Water Operations Management Team (WOMT):** Comprised of management-level representatives from Reclamation, DWR, FWS, NMFS, and DFG to facilitate timely decision-support and decision-making. It relies on scientific information and technical input from the Smelt Working Group, the B2 Interagency Team and others (e.g., POD investigators, academics). It routinely uses the CALFED Ops Group to communicate with stakeholders about its decisions. Although the goal of WOMT is to achieve consensus on decisions, the participating agencies retain their authorized roles and responsibilities.

### 2. Information teams:

**CALFED Ops group:** Representatives from Reclamation, DWR, FWS, DFG, NMFS, SWRCB, and USEPA generally meet eleven times a year in a public setting to inform each other and stakeholders about current the operations of the CVP and SWP, implementation of the CVPIA and State and Federal ESAs, and additional actions to contribute to the conservation and protection of State- and Federally-listed species. The following teams were established through the Ops Group process:

**Data Assessment Team (DAT):** Consists of technical staff members from Reclamation, DWR, FWS, DFG, and NMFS, as well as stakeholders, to coordinate and disseminate information and data among agencies and stakeholders related to water project operations, hydrology, and fish surveys in the Delta. The DAT meets weekly during the fall, winter, and spring.

**Integrated Water Operations and Fisheries Forum (IWOFF):** Executives and managers of Reclamation, DWR, DFG, FWS, NMFS, USEPA and the SWRCB meet and discuss current and proposed project planning, permitting, funding, and ESA compliance. IWOFF provides a forum for elevation of these matters from staff, and elevation to the Director level at their discretion.

**Operations and Fishery Forum (OFF):** An ad-hoc stakeholder-driven process to disseminate information regarding recommendations and decisions about the operations of the CVP and SWP. OFF may be directed by the CALFED Ops Group to develop recommendations on operational responses for issues of concern raised by member agencies.

**B2 Interagency Team (B2IT):** Technical staff members from Reclamation and DWR meet weekly to discuss implementation of section 3406 (b)(2) of the CVPIA, which defines the dedication of CVP water supply for environmental purposes. It communicates with WOMT to ensure coordination with the other operational programs or resource-related aspects of project operations, including flow and temperature issues.

### 3. Fisheries and Operations Technical Teams

#### Fisheries Technical Teams:

**The Sacramento River Temperature Task Group (SRTTG):** The SRTTG is a multiagency group that meets initially in the spring to discuss biological, hydrologic, and operational information, objectives, and alternative operations plans for temperature control to assist with improving and stabilizing Chinook population in the Sacramento River. After implementation of the operation plan, the SRTTG may perform additional studies and commonly holds meetings, as needed, typically monthly through the summer and into fall to develop revisions based on updated biological data, reservoir temperature profiles and operations data.

**Smelt Working Group (Working Group):** FWS chairs the group, consisting of one representative each from FWS, DFG, DWR, EPA, and Reclamation, which compiles and interprets real-time biological and technical issues (such as stages of development, distribution, and salvage) regarding delta smelt and develops recommendations for consideration by the FWS. Subsequent to longfin smelt becoming a state candidate species, the Working Group has also developed for DFG recommendations to minimize adverse effects to longfin smelt. After evaluating available information, and if they agree that a protection action is warranted, the Working Group will submit their recommendations in writing to FWS and DFG. The Working Group may meet at any time at the request of FWS, but generally meets weekly during the months of January through June, when smelt salvage at CVP and SWP has occurred historically. The Working Group will also convene based on longfin salvage history at the request of DFG. The Working Group employs the Delta Smelt Risk Assessment Matrix (DSRAM) to assist in evaluating the need for operational modifications of SWP and CVP to protect delta smelt. DSRAM is a product and tool of the Working Group and will be modified by the Working Group with the approval of FWS and DFG, in consultation with Reclamation and DWR, as new knowledge becomes available.

**Salmon Decision Process:** Used by the fishery agencies and project operators to coordinate DCC gate operations and the purposes of fishery protection closures, Delta water quality, and/or export reductions. Inputs such as fish life stage and size development, current hydrologic events, fish indicators (such as catch indices), salvage at the export facilities, and current and projected Delta water quality conditions are used to determine potential DCC closures and/or export reductions.

**American River Group (ARG):** The ARG convenes monthly or more frequently if needed, to provide fishery updates and reports to Reclamation to help manage Folsom Reservoir for fish resources in the Lower American River. Although open to the public, the formal members of the ARG are Reclamation, FWS, NMFS, and DFG, and generally include representatives from several agencies and organizations with on-going concerns and interests regarding management of the Lower American River.

**San Joaquin River Technical Committee (SJRTC):** The SJRTC meets to plan and implement VAMP each year, and oversees the Biology and the Hydrology subgroups. These two subgroups are charged with certain responsibilities, and must also coordinate their activities within the San Joaquin River Agreement (SJRA) Technical Committee.

### **Operations Technical Teams**

**DCC Project Work Team:** A multiagency group under CALFED, its purpose is to determine and evaluate the affects of DCC gate operations on Delta hydrodynamics, water quality, and fish migration. The work team coordinates with the DAT and OFF groups to conduct gate experiments and members may be used as a resource to estimate impacts from real time gate operations.

**Gate Operations Review Team (GORT):** When the gates proposed under SDIP Stage 1 are in place and operational, the interagency team comprised of representatives from DWR, Reclamation, FWS, NMFS, and DFG, and possibly others as needs change, will be convened to make recommendations to the WOMT for the operations of the fish control and flow control gates to minimize impacts on resident threatened and endangered species and to meet water level and water quality requirements for south Delta water users. The interagency team will meet approximately once a week. DWR will be responsible for providing predictive modeling, and SWP Operations Control Office will provide operations forecasts. Reclamation will be responsible for providing CVP operations forecasts, including San Joaquin River flow, and data on current water quality conditions. Other members will provide the team with the latest information related to south Delta fish species and conditions for crop irrigation. Operations plans would be developed using DSM2, forecasted tides, and proposed diversion rates of the projects to prepare operating schedules for the existing Clifton Court Forebay gates and the four proposed operable gates.