

Consultation topics currently recommended to elevate to the March 8 3-agency Directors meeting:

1. COA

- NMFS concern is that the COA is so embedded into operations that it should be a clear part of the consultation. NMFS experience is that the COA has restricted operational flexibility to manage Shasta releases in the past.
- Reclamation's position is that the COA addendum was signed and environmental review complete. The EA and FONSI are posted to Reclamation's website.

Maria putting together a summary of questions and asks for this.

2. Operations with Shasta Dam Raise

- Reclamation would like to cover it as a site-specific, core operations action relying on a project description and analysis from the 2012 Feasibility Study. Not having it in at all poses challenges and Reclamation is willing to explore options.
- NMFS believes there is not sufficient information regarding the details of the proposed action or the effects analysis for a site-specific or programmatic consultation.
- FWS wants yellow-billed cuckoo supplemental information to support but does not feel this is an elevation topic.

Barb and Evan: Reclamation has changed their perspective on this and is open to a programmatic approach to this part of the action. Can you two tell me exactly what we would need to do this? I know that a Calsim run is a first thing, but I need a reasonable summary other items.

3. Fish Passage Program

- Reclamation has not proposed this action. Reclamation's position is that the existence of project facilities are part of the baseline, and those effects are not the subject of this consultation. To the extent that fish passage is a recovery measure or part of a recovery plan, Reclamation's role in that effort should be a separate discussion.
- NMFS believes this action would provide water supply benefits, particularly in dry and critically dry years. The Fish Passage Program also was an important RPA action in the NMFS 2009 BiOp to partially ameliorate winter-run effects.

HB to grab our NOAA Policy white paper to distribute.

4. Consultation status of Trinity River Restoration Program (TRRP, a.k.a. "Trinity ROD flows") and Lower Klamath flow augmentation.

- Seasonal operations (which are included in the Trinity ROD) are proposed as a site-specific action. However, Trinity ROD and Lower Klamath fall augmentation flows are described and modeled in the BA but listed as Not Being Consulted On because they are covered by existing BiOps.
- NMFS position is that the TRRP BiOp is outdated and warrants reinitiation.

Lisa and Justin to update this.

5. Adaptive Management Process

- NMFS and USFWS do not believe that the Adaptive Management program described in the BA is sufficient to meet the standard of providing reasonable certainty to subject actions or their outcomes.
- NMFS and USFWS believe that the 5-agency Adaptive Management Framework (AMF) developed during CWF was developed with the understanding that it would be applied not just to CWF but the future reinitiation of CVP/SWP consultation.
- Reclamation has not signed the CWF ROD and does not plan to adopt the 5-agency AMF for this consultation, but is committed to finding common ground.

Cathy has put together talking points on this topic. Maria is looking them over now.

6. Seasonal Operations:

- NMFS and USFWS do not have a clear understanding of how allocations and Reclamation's shortage policy fit into fishery protections. They are concerned that allocation decisions may be made before fishery protections are fully considered.
- Reclamation is working to fully explain the allocation process, including how allocation decisions are made after first considering all environmental commitments (e.g., fisheries and water quality).

Maria putting together our talking points/Questions on this.

7. OMR Management

- The PA includes new OMR fish triggers for salmon and steelhead based on percentage of the population in the Delta. NMFS does not necessarily disagree, in theory, with the proposed metrics, but are not aware of any population estimates for spring-run Chinook salmon and steelhead in order to implement the fish triggers. Reclamation is not proposing to fund or implement new programs to support the triggers.
- Reclamation is willing to explore programs to support these triggers.
- There is language in the PA regarding a Director-level option to offramp real-time OMR restrictions (see short para at bottom of p. 4-54 to top of 4-55). USFWS working on draft alternative language.

Barb and Jeff, can you update specifically where we are with this? Maria wants to elevate this topic but I am not exactly clear what has been resolved and what we would propose for resolution.

8. Risk Assessments

- There are a number of places in the BA where "risk assessments" are proposed to determine subsequent actions. NMFS is unclear what the risk assessment metrics are, how they will be used to make decisions, and whether NMFS/the fish agencies have a role in the decision making or elevation.
- Reclamation is willing to work collaboratively on addressing gaps.

Barb and Evan: Is this still an issue that needs elevating? I am still confused by how the risk assessments work. Do we have a proposed resolution to put on the table?

5. Fall X2

- Lack of specificity for target to maintain fall habitat for Delta smelt.
- Reclamation would like to define habitat-based approaches (e.g., location, acreage, and salinity) to drive Suisun gate operations in the summer and potential fall actions.

6. I:E Ratio

- NMFS concerned that the proposed action does not include a suitable replacement for April/May San Joaquin steelhead protections.
- Delta focus group to discuss the extent that OMR criteria offer a suitable replacement.

Barb and Jeff: Maria wants to elevate that there is no replacement for the I:E ratio. Can you draft some talking points about this?

I haven't had time to perform a robust analysis of this issue yet, but here are my initial concerns:

- The loss density trigger of 10 steelhead/TAF is not sensitive enough to detect the low numbers of San Joaquin River basin steelhead emigrating through the system; it will represent salvage vulnerability of the much greater numbers of steelhead originating in the Sacramento River Basin.
- There is a greater likelihood of hitting the fish loss density trigger earlier in the season when Sacramento River basin steelhead are emigrating through the system due to their greater population numbers. When SJ River basin steelhead emigrate (April-May) and are in need of protection, Sacramento River basin fish are on the tail end of their emigration season, and meeting the fish loss density trigger is less likely to occur.
- With no proposed installation of a Head of Old River fish barrier in spring, a large percentage of SJ River basin fish will move into the Old River channel and encounter the agricultural barriers (with elevated losses) and the export facilities, which will have higher proposed pumping rates than under the I:E ratio conditions (as seen by the more negative OMR values in the modeled flows). More fish will be lost to the two facilities than under the I:E ratio protections.