

**San Joaquin River Restoration Program  
Chinook Salmon Reintroduction Public Workshop**

**Wednesday, April 28, 2010**

**California Department of Water Resources, South Central Region Office  
Fresno, CA**

**MEETING SUMMARY**

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**Attendees:**

Michelle Banonis	Bureau of Reclamation
Virginia Clark	California Conservation Corps
John Battistoni	California Department of Fish and Game
Abimael Leon-Cardona	California Department of Water Resources
Ernie Taylor	California Department of Water Resources
Sarge Green	California Water Institute, California State University, Fresno
Jeff Tupen	CH2M Hill
Roger Miller	Federation of Fly Fishers
Mark Grossi	Fresno Bee
Bill Bruce	Fresno Fly Fishers
John Cameron	Fresno Fly Fishers
Bob Papazian	Fresno Fly Fishers
Tim Lawrence	Fresno Fly Fishers for Conservation
Jeff Trafican	Fresno Fly Fishers for Conservation
Steve Ottemoeller	Friant Water Users Authority
Ron Jacobsma	Friant Water Users Authority
Bill Luce	Friant Water Users Authority
Rob Sawyer	Friant Water Users Authority
Cindy Charles	Golden West Women Flyfishers Northern California Council 777
Elif Fehm-Sullivan	National Marine Fisheries Service
Christine Lim	Kearns & West
Eric Poncelet	Kearns & West (Facilitator)
Carl Janzen	Madera Irrigation District
Art Godwin	Mason, Robbins, Browning & Godwin
Michael Martin	Merced River Conservation Committee
Stephanie Theis	MWH
Rhonda Reed	National Marine Fisheries Service
Mike Widhalm	Paramount Farming
Chris Acree	Revive the San Joaquin
Mark Baquera	Revive the San Joaquin
George Nokes	Revive the San Joaquin
Melinda Marks	San Joaquin River Conservancy
Steve Chedester	San Joaquin River Exchange Contractors Water Authority
Rod Meade	Restoration Administrator
Dave Mooney	United States Bureau of Reclamation
Steve Starcher	San Joaquin River Stewardship Program

Steve Haze	San Joaquin Valley Leadership Forum
Michael George	Sutter Securities
Sam Davidson	Trout Unlimited
Michelle Workman	US Fish and Wildlife Service
Erin Strange	National Marine Fisheries Service
Leslie Mirise	National Marine Fisheries Service

## **MEETING SUMMARY**

### **I. Meeting Purpose and Participation**

A public workshop was convened by the National Marine Fisheries Service (NMFS) on April 28, 2010 in Fresno, California on the topic of salmon reintroduction in the San Joaquin River. The purpose of the public workshop was to give an overview of the San Joaquin River salmon reintroduction strategy, and to receive public input on concerns and suggestions/ideas for reintroduction. The workshop agenda is attached as Appendix A. Approximately 40 members of the public participated in the public workshop representing a diversity of interests, including water purveyors; landowners; agricultural, fishing, recreation, and conservation interests; and other state and federal agencies.<sup>1</sup>

### **II. Presentation on San Joaquin River Chinook Salmon Reintroduction**

Rhonda Reed (Program Manager, National Marine Fisheries Service) presented on the background, regulations and goals of the reintroduction process. NMFS is beginning to prepare for the reintroduction of salmon to the San Joaquin River below Friant Dam, in accordance with the San Joaquin River litigation settlement of 2006 and Public Law 111-11. These documents are available on the San Joaquin River Restoration Program (SJRRP) website: [www.restoresjr.net](http://www.restoresjr.net).

The settlement states that spring-run Chinook salmon must be reintroduced to the San Joaquin River by December 31, 2012. Public Law 111-11 requires that spring-run reintroduced through the settlement will be as an experimental population, as described under section 10(j) of the Endangered Species Act (ESA). The reintroduction action requires analysis under the National Environmental Policy Act (NEPA) and NMFS proposed to prepare an Environmental Assessment (EA). The experimental population designation requires definition by federal regulation. This process requires notification of a proposed rule in the Federal Register, and a subsequent publication of a Final Rule which will address comments received on the proposed rule. The NEPA and rule-making processes will proceed concurrently, with the draft EA and proposed rule being issued as one package, and similarly for the Final EA and Final Rule. Rhonda noted that the details of the reintroduction strategy are being developed now, so NMFS

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<sup>1</sup> This summary represents our efforts to synthesize the input received by the meeting's participants as well as the responses given by the NMFS-SJRRP staff. This report focuses on summarizing the public's input on key issues; it is not intended to serve as a transcript of all issues discussed or points made.

is seeking stakeholder input on the process. The complete PowerPoint presentation is available on the project website:

[http://swr.nmfs.noaa.gov/sjrrestorationprogram/Reintro\\_Regulatory\\_Process-Public\\_workshop\\_042810.pdf](http://swr.nmfs.noaa.gov/sjrrestorationprogram/Reintro_Regulatory_Process-Public_workshop_042810.pdf) .

The following points about the development of the strategy were clarified during a question and answer period:

#### **A. Public Process and Involvement**

- NMFS will continue to conduct public outreach and information gathering through the summer of 2010. Stakeholders can also contact the San Joaquin River Salmon Reintroduction Program team directly via email: [SJRSpring.Salmon@noaa.gov](mailto:SJRSpring.Salmon@noaa.gov).
- Elif Fehm-Sullivan (Fisheries Biologist, NMFS), is the main contact for this process ([Elif.Fehm-Sullivan@noaa.gov](mailto:Elif.Fehm-Sullivan@noaa.gov)). Additional support is provided by Erin Strange and Leslie Mirise, NMFS. The public is invited to provide comments and feedback on draft documents as they are developed.
- The project schedule shown in slide 11 of the presentation currently shows overall intent and known information. It will continue to be updated as additional deadlines and information are determined.

#### **B. Regulatory Process and Supporting Documents**

- NMFS, in conjunction with SJRRP implementing agencies, is currently preparing the following three documents to support the salmon reintroduction effort. They, and all project documents, will be accessible through the project website ([www.restoresjr.net](http://www.restoresjr.net)) and NMFS website (<http://swr.nmfs.noaa.gov/jrrestorationprogram.htm>).
  - Stock Selection Strategy: draft available the week of May 3 – 7, 2010
  - Reintroduction Strategy: outline available the week of May 3 – 7, 2010
  - 4(d) rule considerations: in progress
- NMFS has not adopted specific regulations for the ESA Section 10(j), but one option is to adapt the U.S. Fish and Wildlife Service (USFWS) regulations for designating experimental populations. The experimental population designation will be determined by April 2012, per the settlement.
- The Stock Selection Strategy and Reintroduction Strategy will be addenda to the Section 10(a) 1(A) permit.
- The California Endangered Species Act (CESA) currently has no provisions for designating experimental populations. The California Department of Fish and Game (CDFG) is working on options that could allow a similar designation under CESA for spring-run Chinook salmon.
- The National Environmental Policy Act (NEPA) review of this process will be finalized around April 2012. The cooperating agencies in the NEPA process include NMFS, CDFG, U.S. Fish & Wildlife Service, and the U.S. Bureau of Reclamation.

#### **C. Salmon and the Environment**

- Section 10(j) experimental populations must be geographically separate from other existing populations, at least for important portions of their life cycle. The population designation must define this geographic extent. Once the salmon reintroduced to the San

Joaquin River migrate out of the “designated experimental population area” they will be indistinguishable from and overlap with existing populations of spring-run Chinook salmon, and must be treated as if they are part of the listed population.

- Some workshop participants expressed the expectation that these fish would be exempt from the special protection of the listed populations throughout their lifecycle. Such protection could jeopardize the operation of the water pumps in the Delta. Rhonda agreed that this subject should be discussed at a later meeting.

### **III. Breakout Session Discussions**

Mid way through the workshop, participants were invited to participate in one of two breakout groups. One breakout group focused on the regulatory setting and was invited to share concerns related to the reintroduction of salmon in the San Joaquin River. They discussed the question:

- What concerns do you have with having a threatened population reintroduced in areas of the river that you currently use?

The second breakout group focused on the ecological setting and was invited to discuss ideas on how to reintroduce salmon. They addressed the question:

- In your view, what key biological/ecological elements should be part of the reintroduction strategy?

#### **A. Key Outcomes from the Regulatory Setting Breakout Session Discussion**

Those who attended the regulatory setting breakout session expressed the following concerns:

- Community Concerns
  - Public access to the river is restricted in many areas, and salmon reintroduction may lead to trespassing on private property and the risk of vandalism. This would increase the existing problems of trespass and vandalism
  - There may be property liabilities associated with the above scenario.
  - Recreation concerns:
    - Salmon reintroduction may lead to restricted access to fishing during the year.
    - Alternatives for off-stream fishing could be developed, such as at isolated mining pits managed by the San Joaquin River Conservancy.
    - Recreation areas would need to be closed during the spawning season in order to protect redds and yolk-sack fry.
  - Input from cities, especially with regard to plans for new development and increased water demand, is needed to assess the potential effect on salmon reintroduction
  - Additional enforcement, such as game wardens, will be required. How will this be funded?
- Environmental Concerns
  - Dumping and/or hazardous materials may prove detrimental to the reintroduced salmon. How will this be policed?
  - What is the appropriate footprint of the salmon reintroduction effort? Just the mainstem of the San Joaquin River? Is it appropriate to include the tributaries?

- Will salmon reintroduction require new classifications of “beneficial uses” of water by the State Water Resources Control Board?
- Will new water quality standards be required by the Regional Water Quality Control Board?
- Salmon Protection Concerns
  - How will the salmon be protected from unscreened diversions? Will all diversions be screened? Will they be screened for all species? Additional factors include:
    - Timing of installation of screens (i.e., before fish are reintroduced?)
    - Size of screens
    - Headworks and other structures related to water diversion and conveyance
    - Riparian pumps
  - How will the reintroduction of salmon affect other fish species in the river, and vice versa?
  - How will possible effects on steelhead be addressed as part of the reintroduction effort?
  - Will satisfactory habitat be in place when salmon are reintroduced? Does this require additional regulatory authority?
- Timing
  - Timeline for the 10(j): Is it reasonable to expect that the habitat would be sufficiently restored by 2012 to support fish?
  - Is the 2012 timeline realistic, especially with the multiple federal and state agencies that need to be involved?

## **B. Key Outcomes from the Ecological Setting Breakout Session Discussion**

Those who attended this breakout session raised the following issues as needing to be addressed as part of the salmon reintroduction strategy:

- Salmon Runs and Timing
  - San Joaquin River tributaries may affect spring-run salmon more than fall-run salmon.
  - There is uncertainty whether the temperature of the river is better for salmon in spring or fall.
  - Introducing spring- and fall-run at the same time may impede both populations’ ability to become established.
  - If a fall-run is established first, there may be mixing of spring- and fall-runs.
  - The fall-run may be easier to establish in this environment.
  - The spring-run salmon depend on deep pools with cold water. Such pools are expected to form near the dam.
  - Where fish passage to the ocean is not yet established, salmon can be captured and moved via a bypass system or by trap and haul techniques.
- Salmon Life Stages and Sourcing
  - In the short term, the project team could use source populations for eggs, juveniles, and/or fall-run.
  - In the long term, the project team could use a conservation hatchery to increase fish numbers to achieve those outlined in the settlement.
  - Salmon at the juvenile stage may be better prepared to adapt to the habitat than at other life stages.

- Smolts tend to stray, so the project team needs to develop a way to hold them.
- One option for reintroduction is to develop brood stock, by using adults from a donor population, holding them until they mature and using their progeny.
- Another option for sourcing the salmon is to take a multi-stock approach.
- Livingston Stone Hatchery propagates delta smelt and winter-run Chinook salmon, so it may be available to propagate spring-run Chinook salmon for this project.
- The Bodega Marine Lab is being considered as a place to hold brook stock.
- The San Joaquin Fish Hatchery in Friant is another possible location to develop a brook stock source.
- Additional Reintroduction Concerns
  - Unscreened diversions may increase salmon mortality.
  - This program should incorporate monitoring methods (acoustic, tagging, etc.) throughout the salmon's lifespan to track movements and timing.
  - Angling regulations need to account for this new fish population.
  - The group raised concerns about increased poaching and suggested that regulations and law enforcement need to be strengthened to prevent and cite poachers.
  - Predation from local animals (e.g.: crows) could also threaten reintroduced salmon.
  - In addition to adequate habitat and passage, adequate food supplies are another concern.
- Additional Clarifications Provided by the Project Team
  - The project team is proposing to follow population goals as recommended by the San Joaquin River Restoration Program (SJRRP) Regional Administrator and adopted by the SJRRP Fisheries Management Work Group in their draft Fisheries Management Plan. The return rate goals as presented by NMFS and USFWS are:
    - Interim Period, described as 3 years after reintroduction:
      - Minimum of 500 naturally produced adults for both spring- and fall-run Chinook salmon.
    - Sustaining period, described as 3 to 12 years after reintroduction:
      - Approximately annual average of 2,500 spring- and fall-run Chinook salmon
    - Growth Population Target, described as 2025 to 2040:
      - Approximately 30,000 spring-run Chinook salmon
      - Approximately 10,000 fall-run Chinook salmon
    - Population goals and times are still being refined and final numbers will be included in the forthcoming reintroduction draft Environmental Assessment (EA).
  - The project team will consider both spring- and fall-runs, but the settlement identifies that spring-run shall have preference. There is logic in this ruling because that was the dominant run in the San Joaquin River before Friant Dam was completed.

When the two groups reconvened, summary reports were presented on the breakout group discussions. At this point, the following additional clarifications were made:

- The SJRRP includes monitoring systems, some of which are already in place. This monitoring will track the reintroduction's progress and make corrections as needed. Additionally, there are scheduled five year status reviews of the spring-run populations conducted by NMFS under the ESA.
- The project team is on track to meet set deadlines.
- If there are some impassible areas for the salmon, the project team plans call for salmon to be captured and moved past these areas via by trap and haul techniques.
- Michelle Workman, USFWS, is currently studying the availability of food for the reintroduced salmon. The status of this issue will be identified before reintroduction.
- The flexibility of changed San Joaquin River flow regimes as related to Bay Delta flows is a separate issue that needs to be addressed, but through a different forum.

#### **IV. Next Steps**

The project team will continue public outreach and information gathering into summer 2010. There will also be a public comment period when the draft rules and draft EA are released in January 2012. Future public meetings, presentation, and work groups related to the reintroduction process will be occurring throughout the summer of 2010. Information about these upcoming meetings and access to draft documents will be available on the program website: [www.restoresjr.net](http://www.restoresjr.net) or <http://swr.nmfs.noaa.gov/jrrestorationprogram.htm>. You can also contact NMFS via email: [SJRSpring.Salmon@noaa.gov](mailto:SJRSpring.Salmon@noaa.gov) or call (916) 930-3723.

Appendix A: San Joaquin River Salmon Reintroduction Public Workshop Agenda

National Marine Fisheries Service  
San Joaquin River Salmon Reintroduction  
Public Workshop

April 28<sup>th</sup>, 2010, 5:00pm to 7:00pm  
California Department of Water Resources  
South Central Region Office  
3374 East Shields Ave., Fresno, CA 93726

**AGENDA**

**WELCOME/INTRODUCTIONS**

**WORKSHOP GOALS**

1. Present overview of draft strategy for San Joaquin River Salmon Reintroduction.
2. Receive public input on concerns regarding reintroduction of a threatened species in areas of the river with other current uses and suggestions/ideas for introduction strategies

**PRESENTATION**

- San Joaquin River Salmon Reintroduction Overview
- Break-Out Sessions Overview/Goals

**BREAK-OUT SESSIONS**

- Regulatory Setting
  - What concerns do you have with having a threatened population reintroduced in areas of the river that you currently use?
- Ecological Setting
  - In your view, what key biological/ecological elements should be part of the reintroduction strategy?

**REPORTS BACK**

- Break out groups report back on their discussions
- Group Question and Answer Session

**ADDITIONAL PUBLIC COMMENT**

**ADJOURN**