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News ENVIRONMENT



Rewrite softens report on risks to fish

By **Stuart Leavenworth** -- Bee Staff Writer
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Officials at a federal fisheries agency ordered their biologists to revise a report on salmon and other endangered fish so that more water can be shipped to Southern California from the Delta, according to interviews and internal agency documents obtained by The Bee.

Biologists with NOAA Fisheries, an arm of the National Oceanic and Atmospheric Administration, concluded in August that a plan to pump more water through the Sacramento-San Joaquin Delta could jeopardize endangered salmon and other fish.

NOAA administrators in Long Beach, however, overruled the biologists and supervised a rewriting of their analysis. That, in turn, removed the last major obstacle to a plan that could send more water south, affecting how much is reserved in Northern California, including for



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salmon in the American River.

NOAA officials say the revisions were justified. Agency biologists made some errors and "unsubstantiated conclusions" in their original draft, said James Lecky, an agency administrator in Long Beach who ordered the revisions.

Some agency employees, however, say some of the changes had no basis in science and substantially weaken protections for endangered winter-run salmon, steelhead trout and other fish.

"I haven't seen anything this bad at NOAA since working here," said one agency biologist who asked that his name not be used. "The Sacramento office (of NOAA Fisheries) is totally demoralized."

At issue is a state-federal plan for operating the massive network of reservoirs, aqueducts and pumping plants that move water around California. The U.S. Bureau of Reclamation and state Department of Water Resources are planning major changes for those facilities, partly to free up water that can be shipped through the Delta.

The U.S. Fish and Wildlife Service gave its blessing to the plan in August, but NOAA Fisheries has sought extensions in releasing its own analysis.

Documents obtained by The Bee explain why.

In August, NOAA biologists issued a draft stating that the plan "is likely to jeopardize the continued existence of Sacramento winter-run Chinook salmon and Central Valley Steelhead," as well as spring-run salmon.

The document outlined several measures the Bureau of Reclamation could adopt to reduce impacts on fish, but the document was never signed.

Instead, Lecky delivered the draft to his counterparts in the Bureau of Reclamation, who offered suggestions on revisions, he said.

Lecky said such document sharing is commonplace as federal agencies undergo what is known as a consultation under the Endangered Species Act. NOAA officials wanted to ensure they had appropriately interpreted the bureau's plans, he said, and receive feedback on their own analysis.

A copy of NOAA's latest draft, however, shows that administrators have altered the report in ways that go beyond mere word changes.

The updated version, 289 pages and dated Sept. 27, no longer concludes that winter-run salmon or other fish could face extinction by the extra water diversions by state and federal facilities.

The report concludes that the new operations would likely reduce the juvenile population of winter-run salmon by 5 percent to 22 percent, but says that agencies can help minimize those losses by monitoring and adapting.

The latest version also softens the wording for how the Bureau of Reclamation

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can avoid future impacts on fish.

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In the original report, NOAA biologists called on the Bureau of Reclamation to reserve 450,000 to 600,000 acre-feet of water in Folsom Lake by September to provide adequate supplies for returning salmon and steelhead.

The latest version changes the wording from "shall maintain" to "shall target" the extra water.

In addition, the latest draft no longer calls for a minimum flow standard for the American River, as the original did. The state Water Resources Control Board called for an American River flow standard in 1988, but federal officials haven't yet agreed to one.

A former state official who now works for a leading environmental group reviewed the two versions and said he was stunned by the revisions.

"The September draft guts the minimal protections that were in the earlier version," said Jonas Minton, a former deputy secretary for the Department of Water Resources. "The new version includes commitments to talk instead of commitments to protect fish."

Minton, who now works for the Planning and Conservation League, agreed that supervisors often make routine changes to a scientific document. "It's an entirely different thing to change science for political purposes," he said.

In an interview, NOAA's Lecky disputed that political appointees had pressed for changes. Everything has been handled within NOAA's Southwest Regional Office in Long Beach, he said.

Lecky declined to comment further on the revisions, saying The Bee had obtained a "predecisional document" that was subject to further review. Sources say a final version could be released next week.

Formerly known as the National Marine Fisheries Service, NOAA Fisheries enforces the Endangered Species Act for fish that spend part of their lives in the ocean, such as salmon. In recent years, NOAA has become embroiled in several controversies over water allocations and fish.

In 2002, NOAA biologist Michael Kelly warned that the Reclamation Bureau's water plans in Oregon could lead to fish kills downstream on the Klamath River. Later that year, warm water and disease killed about 77,000 returning salmon, according to a report by the California Department of Fish and Game.

Kelly later resigned from NOAA after another disagreement with Lecky.

In recent months, the Bureau of Reclamation has been pushing to sign long-term contracts with irrigation districts and finalize plans for shipping more water through the Delta. Some of California's most powerful groups - including the Chamber of Commerce, Westlands Water District and the Metropolitan Water District of Southern California - are lobbying for extra water.

Environmentalists suspect this pressure prompted some of NOAA's recent actions, although they acknowledge they can't prove it.

Bureau of Reclamation officials say the public will have full opportunity to comment on any changes in water operations. The Bureau and the Department of Water Resources have scheduled an informational meeting in Sacramento on Thursday from 9 a.m. to noon at the Best Western Expo Inn, 1413 Howe Ave.

About the Writer

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