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15 Attorneys for Plaintiff
16 FAMILY FARM ALLIANCE

17 **UNITED STATES DISTRICT COURT**
18 **EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

19 DELTA SMELT CONSOLIDATED CASES

20 1:09-cv-00407-OWW-DLB (LEAD CASE)
21 1:09-cv-00422-OWW-DLB
22 1:09-cv-00631-OWW-DLB
23 1:09-cv-00892-OWW-GSA

24 PARTIALLY CONSOLIDATED WITH:
25 1:09-cv-00480-OWW-GSA
26 1:09-cv-01201-OWW-DLB

27 **DECLARATION OF DR. ROB ROY RAMEY**
28 **IN SUPPORT OF FAMILY FARM**
ALLIANCE’S MOTION FOR TEMPORARY
RESTRAINING ORDER

DATE: TBD
TIME: TBD
CTRM: 3
JUDGE: Hon. Oliver W. Wanger

1 I, Dr. Rob Roy Ramey II, declare as follows:

2 1. I serve as a Consulting Science Advisor for the Council for Endangered Species Act
3 Reliability (CESAR), 1990 3rd Street, Suite 400, Sacramento, California. I am also the President of
4 Wildlife Science International, Inc., a scientific research and consulting firm based in Nederland,
5 Colorado.

6 2. I have been conducting scientific research and management on a wide range of
7 endangered species in United States and abroad for the past 30 years. I earned a Bachelor's degree in
8 Biology and Natural History from the University of California Santa Cruz; a Master of Forest Science
9 degree in Wildlife Ecology from Yale University; and a Ph.D. in Ecology and Evolutionary Biology
10 from Cornell University. Following graduate school, I continued my work with endangered species
11 as a USDA postdoctoral fellow at the University of Colorado (Boulder); Visiting Scientist at the San
12 Diego Zoo Center for Reproduction of Endangered Species; Research Scientist, University of
13 California, San Diego; the Curator and Chair of Vertebrate Zoology at the Denver Museum of Nature
14 & Science; and Consulting Science Advisor to the Office of Assistant Secretary - Fish and Wildlife
15 and Parks, U.S. Department of the Interior, Washington, D.C. I have an active research program and
16 have published numerous scientific papers in top refereed journals. My Curriculum Vitae is attached
17 as **Exhibit A**.

18 3. I have been associated with the Council for Endangered Species Act Reliability
19 ("CESAR") as one of two science advisors since its inception. In January 2009, at the request of
20 Hon. Craig Manson of CESAR, I identified an independent scientific review panel, and assisted with
21 organizing the March 14th seminar sponsored by CESAR and the Family Farm Alliance, titled "*What*
22 *is the Role of the Pumps in the Decline of the Delta Smelt? - The Billion Dollar Question*". As part of
23 the ongoing scientific review process initiated by that seminar, I have facilitated several subsequent
24 and more focused peer reviews by members of that scientific panel. One of those peer reviews was of
25 a paper by U.C. Davis graduate student and then Department of Water Resources employee, Mr.
26 Lenny Grimaldo. That paper, entitled "Factors affecting fish entrainment into massive water
27 diversions in a freshwater tidal estuary: Can fish losses be managed?" was cited frequently and used
28 in the OCAP Biological Opinion; specifically, an equation from this paper was used to generate

1 salvage for the proposed action.

2 4. In reading the unpublished version of Grimaldo et al. I realized that the methods were
3 unclear with regard to sources of data and how the final data set was produced. An important part of
4 peer review and the scientific process is the opportunity to reproduce analyses and replicate results
5 (the criterion of potential falsifiability is what distinguishes science from non-science).

6 5. As accepted scientific papers typically undergo some revision, I wrote to Mr.
7 Grimaldo to learn when he expected his paper to be published. Because he indicated it would be
8 sometime in the summer or fall of 2009, I followed up with questions that would help clarify which
9 data was used and how it was used in the paper. I also asked Mr. Grimaldo "*Would it be possible to*
10 *obtain the raw data sets and averages (as you used them)? That would be most straightforward way*
11 *to ensure that I am looking at the same data.*" As the e-mails in **Exhibit B** show, Mr. Grimaldo did
12 not provide the requested data or provide answers to my questions regarding the data, even after his
13 paper was published.

14 6. In my professional opinion, Mr. Grimaldo's data set is not reproducible and the results
15 cannot be replicated. Therefore, Mr. Grimaldo's study fails the litmus test of science.

16 7. In addition to the review of Mr. Grimaldo's work, I was also involved in independent
17 peer reviews of Dr. Wim Kimmerer's analysis entitled "Losses of Sacramento River Chinook Salmon
18 and Delta Smelt to Entrainment in Water Diversions in the Sacramento-San Joaquin Delta. San
19 Francisco Estuary and Watershed Science (2008), Vol. 6, Iss. 2," which is also heavily relied upon in
20 the OCAP Biological Opinion.

21 8. A significant problem discovered in the Kimmerer methodology is that estimates
22 pertinent to his conclusions, including the entrainment estimate, are based on assumed numerical
23 values, not data. Specifically, reviewers found that "no information on the water column occupancy
24 of delta smelt in the Old and Middle River exists" and "due to the complexity of the analysis there is a
25 substantial possibility that one or more errors might have been made. Indeed the confusion
26 surrounding whether or not the data had been corrected for the restriction of delta smelt to the top 4 m
27 of the water column in the OMR illustrates the importance of a full independent re-analysis."
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9. In my professional opinion, there are no rational bases given for Kimmerer's assumptions, thus leading to conclusions regarding entrainment and abundance that are essentially unsupported and speculative.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 12 day of March 2010, in NEOERLAND, Colorado.


Dr. Rob Roy Ramey II

EXHIBIT A

Rob Roy Ramey II, Ph.D.

P.O. Box 386

Nederland, CO 80466

USA

+ 1 303 258 9535 phone/fax

+ 1 303 718 6686 cell

robroyrameyii@gmail.com

Education:

Cornell University, Ph.D. in Ecology and Evolutionary Biology, 1993.

Yale University, School of Forestry & Environmental Studies. M.F.S. in Wildlife Ecology, 1986.

University of California, Santa Cruz. B.A. in Biology & Natural History, 1981.

Areas of Expertise:

Endangered species conservation (28 years of experience with scientific research, consulting, and hands-on management of endangered species in the U.S. and abroad.)

Evolutionary biology, ecology, and population genetics

Taxonomic classification of species and subspecies

Animal Behavior

Emerging environmental issues

Research and Professional experience:

President, Wildlife Science International, Nederland, CO (2007 - present).

<http://www.wildlifescienceintl.com>

Consulting Science Advisor, Council on Endangered Species Act Reliability, Sacramento, CA (2009-present)

Consulting Science Advisor to the Office of Assistant Secretary - Fish and Wildlife and Parks, Department of Interior, Washington D.C. (2005 - 2006).

Curator of Vertebrate Zoology, Denver Museum of Nature and Science. (2000 - 2005).

Research Scientist, University of California, San Diego (1999 - 2000).

Visiting Scientist, San Diego Zoo, Center for Reproduction of Endangered Species. (1998 - 1999).

USDA Postdoctoral Research Fellow, University of Colorado, Boulder (1994 - 1997).

Postdoctoral Research Associate, University of Colorado, Boulder (1994 - 1999).

Research Associate, University of California, White Mountain Research Station, (1986 - 1994).

Wildlife Biologist, U.S.D.A. Forest Service, Mt. Whitney Ranger District, CA (1987).

Research Assistant, Yale University, Department of Biology, New Haven, CT (1985).

Field biologist, Condor Research Center, Ventura, CA. (1983 - 1984).

Field Biologist, The Peregrine Fund, Inc., Santa Cruz, CA. (1980 - 1983).

Teaching experience:

Continuing Legal Education International and American Law Institute - invited faculty to lecture on the Endangered Species Act (2004-present)

University of Colorado, Boulder. Instructor of Genetics. (1998-1999).

University of Colorado, Boulder - Hughes Undergraduate Research Initiative, (1996-1999).

Cornell University, teaching assistant for Evolutionary Biology. (1988-1992).

Academic Awards, Fellowships, Memberships, and Affiliations:

International Union for the Conservation of Nature, Caprinae Specialist Group

University of Colorado, Denver, Department of Environmental Science – Adjunct Faculty (2002-2006)

University of Denver, Department of Biology - Adjunct Faculty (2002-2004)

U.S. Department of Agriculture, Postdoctoral Research Fellowship (1994- 1996)

Cornell University, Outstanding Graduate Student Teaching Award, (1992)

Community Service:

Nederland Fire Protection District: volunteer firefighter (1996-present)

Avocations:

Rock climbing, backcountry telemark skiing, river rafting, and travel to remote locations.

Peer Review Publications:

Ramey, R.R. (in press) «entry_topic». In «project_name». Gale. Farmington Hills, MI.

Ley, R.E. M. Hamady, C. Lozupone, P. Turnbaugh, R.R. Ramey, S. Bircher, M.L. Schlegel, T.A. Tucker, M.D. Schrenzel, R. Knight, and J.I. Gordon (2008) Evolution of mammals and their gut microbes. *Science* 320:1647-1651.

Ramey, R.R., J.D. Wehausen, H.P. Liu, C.W. Epps, and L. Carpenter (2007) How King et al. (2006) define an "evolutionarily distinct" mouse subspecies: a response. *Molecular Ecology* 16: 3518-3521.

Safaei, S., G.C. Weiser, E.F. Cassirer, R.R. Ramey, and S.T. Kelley (2006) Microbial diversity in bighorn sheep revealed by culture-independent methods. *Journal of Wildlife Disease* 42(3):545-55.

Ramey, R.R., J.D. Wehausen, H.P. Liu, C.W. Epps, and L. Carpenter. (2006) Response to Vignieri et al. (2006): Should hypothesis testing or selective post hoc interpretation of results guide the allocation of conservation effort? *Animal Conservation* 9:244-247.

Turner, J.C., C.L. Douglas, C.R. Hallum, P.R. Krausman, and R.R. Ramey (2006) Osterman's assumption of a flawed habitat model is premised on facts not in evidence: Turner et al. (2005) response to Osterman et al. (2005). *Wildlife Society Bulletin* 33(4):1465-1473.

Timm, R.M., R.R. Ramey, and the Nomenclature Committee of the American Society of Mammalogists. (2005) What constitutes a proper description? *Science* 309:2163-2164.

Epps, C.W., P.J. Palsboll, J.D. Wehausen, G.K. Roderick, R.R. Ramey II and D.R. McCullough (2005) Highways block gene flow and cause a rapid decline in genetic diversity of desert bighorn sheep. *Ecology Letters* 8:1029-1038.

Ramey, R.R., H.P. Liu, C.W. Epps, L. Carpenter, and J.D. Wehausen (2005) Genetic relatedness of the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) to nearby subspecies of *Z. hudsonius* as inferred from variation in cranial morphology, mitochondrial DNA, and microsatellite DNA: implications for taxonomy and conservation. *Animal Conservation* 8:329-346.

Charif, R., R.R. Ramey, K. Payne, W. Langbauer, R. Martin, and L.M. Brown (2005) Spatial relationships and matrilineal kinship in African savanna elephant (*Loxodonta africana*) clans. *Behavioral Ecology and Sociobiology* 57(4):327-338.

Wehausen, J.D., V.C. Bleich, and R.R. Ramey (2005) Correct Nomenclature for Sierra Nevada Bighorn Sheep. *California Fish and Game* 91:216-218.

Brown, L.M., R.R. Ramey, B. Jiron, and T. Gavin (2004) Population structure and mtDNA variation in sedentary Neotropical birds isolated by forest fragmentation. *Conservation Genetics* 5:743-757.

Wehausen, J.D., R.R. Ramey, and C.W. Epps (2004) Experiments in DNA extraction and PCR amplification from bighorn sheep feces: the importance of DNA extraction method. *Journal of Heredity* 95(6):503-509.

Ramey, R.R., T. Tserenbataa, S. Amgalanbaatar, and Z. Namshir (2004) A new method of argali (*Ovis ammon*) capture using horsemen and drive nets. *Mongolian Journal of Biological Sciences* 2(1):19-21.

Turner, J.C., C.L. Douglas, C.R. Hallum, P.R. Krausman, and R.R. Ramey (2004) Determination of critical habitat for the endangered Nelson's bighorn sheep in southern California. *Wildlife Society Bulletin*. 32(2):427-448.

Tserenbataa, T., R.R. Ramey II, O.A. Ryder, T.W. Quinn, and R.P. Reading (2004) A population genetic comparison of Argali sheep (*Ovis ammon*) in Mongolia using ND5 gene of mtDNA: Implications for conservation. *Molecular Ecology* 13:1333-1339.

Ramey, R.R., G. Luikart, and F.J. Singer (2000) Genetic bottlenecks resulting from restoration efforts: the case of bighorn sheep in Badlands National Park. *Journal of Restoration Ecology*. 8(4S):85-90.

- Ramey, R.R., W.M. Boyce, B. Farrell, and S. Kelley (2000) Phylogeny and host specificity of psoroptic mange mites as indicated by ITS sequence data. *Journal of Medical Entomology* 37(6):791-796.
- Wehausen, J.D. and R.R. Ramey (2000) Cranial morphometric and evolutionary relationships in the northern range of *Ovis canadensis*. *Mammalogy* 81(1):145-161.
- Ramey, R.R. (2000) New perspectives on the evolutionary origins, historic phylogeography, and population structure of North American mountain sheep. In Thomas, A.E, and H.L. Thomas (eds.). *Transactions of the 2nd North American Wild Sheep Conference*. April 6-9, 1999, Reno, NV 470pp.
- Boyce, W.M., R.R. Ramey, T.C. Rodwell, E.S. Rubin, and R.S. Singer (1999) Population subdivision among desert bighorn sheep (*Ovis canadensis*) ewes revealed by mitochondrial DNA analysis. *Molecular Ecology* 8:99-106.
- R.R. Ramey and K. Gottlieb (1998) Keep your DNA dry and in the dark: Considerations on the preservation of DNA forensic evidence. *Forum Conveniens* 9(1):7.
- Young, B., S. Johnson, M. Bahktiara, D. Shugarts, R.K. Young, M. Allen, R.R. Ramey, and D. Kuritzkes. (1998) Resistance mutations in protease and reverse transcriptase genes of human immunodeficiency virus type 1 isolates from patients with combination antiretroviral therapy failure. *Journal of Infectious Diseases* 178:1497-1501.
- Boyce, W.M., P.W. Hedrick, N.E. Muggli-Cockett, C.T. Pendo, and R.R. Ramey (1997) Comparative analysis of intra and interpopulation genetic variation in mountain sheep at major histocompatibility complex and microsatellite loci. *Genetics* 145:421-433.
- Bleich, V., J.D. Wehausen, R.R. Ramey, and K. Rechel (1996) Metapopulation theory and desert dwelling mountain sheep: Implications for conservation. In: *Metapopulations and Wildlife Conservation*. D.R. McCullough (ed.), Island Press. pp 353-373.
- Ramey, R.R. (1995) Mitochondrial DNA variation, population structure and evolution of mountain sheep in the southwestern United States and Mexico. *Molecular Ecology* 4:429-439.
- Wehausen, J.D. and R.R. Ramey (1993) A morphometric reevaluation of the Peninsular bighorn subspecies. *Desert Bighorn Council Transactions* 37:1-10.
- Ramey, R.R. (1991) The evolutionary genetics of mountain sheep in the Owens Valley region: Preliminary results from proteins and mitochondrial DNA. In: *Natural History of Eastern California and High-altitude Research: White Mountain Research Station Symposium Volume 3*. C.A. Hall, Jr., V. Doyle-Jones, and B. Widawski (eds.), White Mountain Research Station, UCLA.

Snyder, N.R.F., R.R. Ramey and F. Sibley (1986) The nesting biology of the California condor. *Condor* 88:228 - 241.

Jessup, D. and R.R. Ramey (1995) Genetic variation of bighorn sheep as measured by blood protein electrophoresis. *Desert Bighorn Council Transactions* 39:17-25.

Andaloro, L. and R.R. Ramey (1981) The Relocation of Bighorn Sheep in the Sierra Nevada Mountains of California. *Environmental Field Program Publication* #7, University of California, Santa Cruz. 60 pp.

Manuscripts in preparation:

Wehausen, J.D., S.T. Kelley, and R.R. Ramey (submitted) A brief review of respiratory disease interactions between domestic sheep and bighorn sheep.

Ramey, R.R. and J.W. Wehausen (in prep) Behavioral interactions among bighorn sheep and humans: a critical review.

Leggett, K.E.A., R.R. Ramey, and L.M. Brown (in prep) Matriarchal population structure of desert-dwelling elephants in Namibia.

Congressional testimony:

28 April 2004, Legislative Hearing on: "*H.R. 2933, To amend the Endangered Species Act of 1973 to reform the process for designating critical habitat under that Act.*"

31 July 2007, Legislative Hearing on: "*Crisis of Confidence: The Political Influence on Agency Science and Decision-Making.*"

Popular articles:

Ramey, R.R. (2003). Argali capture in Mongolia. *Museum Monthly* 4(1):18-21.

Ramey, R.R. (2002) The science and adventure of bighorn conservation. *Museum Monthly* 3(7):1-2.

Ramey, R.R. (1992) Journey into the past: the Morden-Clark and Roy Chapman Andrews expeditions of the 1920's. *ISHA Ram*.

Current or past ad hoc reviewer for the following journals and agencies:

Animal Conservation	Molecular Ecology
Behavioral Ecology and Sociobiology	National Science Foundation
Conservation Genetics	Royal Society of London
Council for Endangered Species Act Reliability	Southwestern Naturalist
Department of Interior	Systematic Zoology
Frontiers in Ecology and Environment	U.S. Department of Agriculture
Journal of Arid Environments	U.S. Fish and Wildlife Service
Journal of Wildlife Disease	
Journal of Wildlife Management	

EXHIBIT B

Exhibit B

My entire e-mail correspondence with Lenny Grimaldo is presented below in reverse chronological order. E-mails are separated by rows of Xs. The e-mail correspondence details Grimaldo's repeated resistance to: 1) providing the data that his analyses were based upon, and 2) responding to questions that would help clarify his sources of data as well as aspects of his data manipulation prior to analysis. No further correspondence was received after I sent my last e-mail on 19 September 2009.

XX

Date: Sat, 19 Sep 2009 22:37:58 -0600
To: "Grimaldo, Lenny F" <LGrimaldo@usbr.gov>
From: ramey@spot.colorado.edu
Subject: RE: paper request
Cc:
Bcc:
X-Attachments:

Lenny,
Regrettably, your reply does not answer my questions or allow me to replicate the data set used in your paper. You are the lead author on this paper. And you did this research as part of your dissertation. And you are now saying that I need to contact other people in order to explain what data you used and how you manipulated it.

Please take a moment to reconsider.

XX

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d="scan'208";a="119212105"
X-AuditID: 894d851f-b7c07ae000000f8f-7b-4ab58222986e
From: "Grimaldo, Lenny F" <LGrimaldo@usbr.gov>
To: "Rob.Ramey@Colorado.EDU" <Rob.Ramey@Colorado.EDU>
Date: Sat, 19 Sep 2009 19:15:12 -0600
Subject: RE: paper request
Thread-Topic: paper request
Thread-Index: Aco36waj4Yr8cdbpQpuB3ZZSKyG92QBoterK
Accept-Language: en-US
acceptlanguage: en-US
X-Brightmail-Tracker: AAAAARDRErE=

Rob

Once again, it would be helpful if you let me who you were working for so I can point to some local consultants who are more familiar with the data sets. Dr. Bryan Manly might be good contact because I know he has analyzed a lot of the same data as I summarized the data (especially turbidity). There might be some other folks I can recommend as well, particularly those familiar with the data sets.

As previously mentioned, the Interior is involved in litigation, so I am less helpful in answering your questions specifically.

I believe you might be missing some details in your data summaries which are presented in the paper (e.g., see Table 1 for smelt averaging periods-April was not included for adult or yoy). Keep in mind zooplankton data only include those from Delta stations (as mentioned in the paper) not from all the stations.

Hydrodynamics are fairly straightforward, as detailed at the CDEC website.

Hope this helps and good luck,
lg

XX

From: Rob.Ramey@Colorado.EDU [Rob.Ramey@Colorado.EDU]
Sent: Thursday, September 17, 2009 4:02 PM
To: Grimaldo, Lenny F
Subject: RE: paper request

Lenny,
I read your paper and still have the same questions regarding data and methods used in your paper. Just to be clear, I am not asking for commentary, or assistance with interpretation, but merely details that are lacking from the paper on the data used and methods. Without these, I cannot reconstruct the data set used in your paper from those public sources or replicate your analyses. If the paper spoke for itself, I would not be asking these questions. Again, please take a few minutes to answer my questions below.

How was expanded daily salvage calculated for April when both juveniles and adults are found but not all salvaged fish are counted?

Non-tidally-averaged Old and Middle River flows were used (is this correct?), why not tidally-averaged flows?

For the CDFG 20 mm surveys was CPUE or actual catch was used to calculate mean annual abundances for age-0 fishes?

Did you use the position of X2 the actual or predicted position of X2?

For the CDFG Fall Midwater Trawl, did you use the abundance indices (from the CDFG website?) or actual catch?

Are data from other, downstream turbidity stations available?

For all of the variables used in analyses, it was not clear how averages were obtained (i.e. how were monthly or bimonthly averages arrived at?).

Which other variables were divided into bi-monthly averages for regression in addition to salvage? For example, intra-annual analyses used data divided into bi-monthly periods coincident with the CDFG 20 mm survey. However, it is unclear whether all of the other variables were divided into bi-monthly averages for this comparison or just salvage.

Please provide the raw data sets and averages (as you used them). That would be most straightforward way to ensure that I am looking at the same data

Thank you,
Rob

XX

From: "Grimaldo, Lenny F" <LGrimaldo@usbr.gov>
To: "Rob.Ramey@Colorado.EDU" <Rob.Ramey@Colorado.EDU>
Subject: RE: paper request

Rob,

Attached is the paper. I spoke with our regional solicitor yesterday and because USBR is a litigant in numerous lawsuits I cannot provide any commentary or assistance with interpretation of the paper at this moment. The paper speaks for itself. The delta smelt biological opinion speaks for itself. As I communicated previously, this work was done

as part of my dissertation at UCD under the funding support by the Interagency Ecological Program (POD studies; www.water.ca.gov/iep/) 2006-07.

Hope this helps,

Lenny

XX

>From: Rob.Ramey@Colorado.EDU [Rob.Ramey@Colorado.EDU]
>Sent: Monday, September 14, 2009 2:24 PM
>To: Grimaldo, Lenny F
>Subject: paper request

>

>Lenny,

>Could you please send a PDF of your paper: "Factors affecting fish
>entrainment into massive water diversions in a freshwater tidal
>estuary: Can fish losses be managed?". I heard that it is now
>published.

>

>Thank you and congratulations,

>

>Rob

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>

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d="scan'208";a="80963879"
Date: Thu, 28 May 2009 09:08:12 -0700
From: "Lenny Grimaldo" <lgrimaldo@mp.usbr.gov>
To: <Rob.Ramey@Colorado.EDU>
Subject: Re: friendly reminder, data questions

Rob,

This manuscript was completed independent of the USFWS BO as part of dissertation at UC Davis and as an employee at Ca. Dept. of Water Resources. Please contact the USFWS directly if you have any questions regarding their BO. With respects to the data used in the paper, it is all available at public websites.

<http://www.delta.dfg.ca.gov/>
<http://www.iep.ca.gov/dayflow/index.html>
<http://cdec.water.ca.gov/cgi-progs/nearbymap?staid=OBI>

lg

****CONTACT INFORMATION****

Lenny Grimaldo
Fish Biologist
Applied Science Branch
US Bureau of Reclamation
2800 Cottage Way, Sacramento, CA 95825
Phone: (916) 978-5125
Email: lgrimaldo@mp.usbr.gov

XX

Date: Wed, 27 May 2009 09:09:57 -0700
To: "Lenny Grimaldo" <lgrimaldo@mp.usbr.gov>
From: ramey@spot.colorado.edu
Subject: friendly reminder, data questions
Cc:
Bcc:
X-Attachments:

Lenny,
I was hoping that my request (below) did not fall through the cracks.

Thank you for your assistance.

Rob

XX

Date: Fri, 15 May 2009 10:03:55 -0600

To: "Lenny Grimaldo" <lgrimaldo@mp.usbr.gov>
From: ramey@spot.colorado.edu
Subject: data questions
Cc:
Bcc:
X-Attachments:

Lenny,

Thank you for answering my question regarding the progress on your paper for NAJFM (Factors affecting fish entrainment into massive water diversions in a freshwater tidal estuary: Can fish losses be managed?). I was hoping that you could provide me with a few details that would help clarify which data was used and how it was used in the paper.

The OCAP BO seems to have weighted OMR by salvage in a way not explained. Did you do that and if so, how?

How was expanded daily salvage calculated for April when both juveniles and adults are found but not all salvaged fish are counted?

Non-tidally-averaged Old and Middle River flows were used (is this correct?), why not tidally-averaged flows?

For the CDFG 20 mm surveys was CPUE or actual catch was used to calculate mean annual abundances for age-0 fishes??

Did you use the position of X2 the actual or predicted position of X2?

For the CDFG Fall Midwater Trawl, did you use the abundance indices (from the CDFG website?) or actual catch?

Are data from other, downstream turbidity stations available?

For all of the variables used in analyses, it was not clear how averages were obtained (i.e. how were monthly or bimonthly averages arrived at?).

Which other variables were divided into bi-monthly averages for regression in addition to salvage? For example, intra-annual analyses used data divided into bi-monthly periods coincident with the CDFG 20 mm survey. However, it is unclear whether all of the other variables were divided into bi-monthly averages for this comparison or just salvage.

Would it be possible to obtain the raw data sets and averages (as you used them)? That would be most straightforward way to ensure that I am looking at the same data.

Thank you,

Rob

XX

X-IronPort-Anti-Spam-Filtered: true
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d="scan'208";a="59730333"
Date: Wed, 29 Apr 2009 10:15:02 -0700
From: "Lenny Grimaldo" <lgrimaldo@mp.usbr.gov>
To: <Rob.Ramey@Colorado.EDU>
Subject: Re: publication date question

Hi Rob,

The editor informed me that it should be print in summer or fall, but I didn't inquire any further than that. I can provide a reprint when it becomes available. Do you work on entrainment-fish issues in Colorado?

lg

****CONTACT INFORMATION****

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XX

Date: Wed, 29 Apr 2009 09:18:30 -0700
To: lgrimaldo@mp.usbr.gov
From: ramey@spot.colorado.edu
Subject: publication date question
Cc:
Bcc:
X-Attachments:

Dear Dr. Grimaldo,
I was hoping to find out when your paper "Factors affecting fish entrainment into massive water diversions in a freshwater tidal estuary: Can fish losses be managed?"

would appear online or in print in the North American Journal of Fisheries Management (e.g. approximate date and/or issue). I wrote to the journal and they suggested that I contact you directly for that answer.

I would appreciate a copy when available.

Thank you,
Rob