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CC: "Roy Thomas" <liWINOS@aol.com>, "Hank Smith" <f8hawk@aol.com>, "Percy Ba...
Date: 10/3/2010 9:52 AM
Subject: DFG Public Meeting Announcement - Delta Biological Objectives and Flow Criteria
Attachments: 2006%20SWP%20Mitigation%20Loss%20Calculation.pdf

October 3, 2010

Mr. Chad Dibble
California Department of Fish and Game
Sacramento, California

Re: Development of Draft Report on Quantifiable Biological Objectives and Flow Criteria for Aquatic and Terrestrial Species of Concern on the Delta

Mr. Chad Dibble:

The Department of Fish and Game will hold a public information meeting to discuss the draft report on Quantifiable Biological Objectives and Flow Criteria for Aquatic and Terrestrial Species of Concern Dependent on the Delta. The meeting will be held at Stockton regarding this matter on October 6, 2010.

The following are the comments of the California Fisheries and Water Unlimited.

1. The California Department of Fish and Game has been absent from the regulatory process and absent from protecting endangered species and species of concerns in the water rights process (all regions). The Department has violated its duties and responsibilities in protecting the endangered salmon, threatened steelhead and other fish species resulting from water transfers being diverted out of the Bay Delta Estuary. I reference the California Fish and Game Code; California Fish and Game Policies; California Endangered Species Act, California Water Code, and all federal and state statutes that provide protection for these public trust species.
2. The State Pumps in the Bay Delta Estuary is an unregulated major pumping facility that diverts water from a federally licensed project (Oroville Project 2100) to areas south of the Delta using another federally licensed project (California Aqueduct FERC 2426) pursuant a state water right permit issued from the State Water Resources Control Board.
3. The State Pumps in the Bay Delta Estuary has caused significant unmitigated losses to endangered salmon, threatened steelhead, and other fish species. See attachment .
4. The endangered salmon, threatened steelhead, and other fish species are owned by the people and are public trust assets.
5. The state water right permit issued to the California Department of Water Resources by the State Water Resources Control Board for the State Pumps does not prevent losses to endangered salmon, threatened steelhead, and other fish species at the State Pumps in the Bay Delta Estuary.
6. The State Water Resources Control Board will not mitigate losses to

endangered salmon, threatened steelhead, and other fish species that are lost at the State Pumps because of water transfers and also because of all water being pumped from the Bay Delta Estuary. I reference protests, objections, and comments submitted by the California Fisheries and Water Unlimited to the staff of the Division of Water Rights regarding water transfers that were approved without any protection measures for endangered salmon, threatened steelhead, and other fish species at the State Pumps in the Bay Delta Estuary..

7. The draft and final report in this matter must include mandatory mitigation measures that will prevent losses to endangered salmon, threatened steelhead, and other fish species at the State Pumps in the Bay Delta Estuary.

Place the above comments and attachment into the records and mitigate the adverse losses to endangered salmon, threatened steelhead, and other fish species at the State Pumps in the Bay Delta Estuary.

Thank you for the opportunity to provide the Department of Fish and Game with comments and evidence.

Respectfully

Signed by Robert J. Baiocchi

Robert J. Baiocchi, President
California Fisheries and Water Unlimited
California Non-Profit Corporation