



August 23, 1996

Ms. Hilda Diaz-Soltero  
Regional Director  
National Marine Fisheries Service  
501 West Ocean Blvd., Suite 4200  
Long Beach, CA 90802-4213

Dear Ms. Diaz-Soltero:

This letter is to summarize the direction and commitments made during our meeting on Thursday, August 15, 1996, in Sacramento regarding fish protection, and to confirm action taken by the District's Board of Trustees on Friday, August 16, 1996, regarding future work on a fish protection system at Wilkins Slough.

We are proud of the progress made by the District and the data and information collected during the last four years in the study of alternative fish protection systems and would have liked to continue to demonstrate the effectiveness of the flow distribution system/electric barrier. However, we accept the decision of NMFS and the other resource agencies not to extend this study into 1997. Therefore, on August 16th the Trustees voted to continue preparation of environmental documentation and to proceed with planning, design, and installation of a positive barrier fish screen (long-term solution) at Wilkins Slough. The District will diligently pursue the time-line schedule in accordance with the revised Biological Opinion with the understanding that should unforeseen difficulties arise in design or in obtaining funding that would delay the completion of the barrier, NMFS will accordingly amend the schedule and the Biological Opinion.

The Trustees appreciate the strong commitments expressed at the August 15th meeting by NMFS, USFWS, USBR and CDF&G to assist the District in securing a major portion of the necessary funding of a fixed screen at Wilkins Slough. In order to proceed on schedule, the District must be assured that such funding assistance includes recognition of the following fund source priorities:

1. Priority status for 50% cost-share through the anadromous fish restoration funds and fish screen funding under CVPIA;
2. Priority position for funding assistance from Category III funds; and

RECLAMATION  
DISTRICT

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3. Funding from existing State sources, as well as Proposition 204, should that proposition be approved by the voters in November.

We also appreciate the commitment of NMFS and CDF&G to reinitiate consultation on their respective Biological Opinions with incorporation of language to exempt, for a number of years, the District's six smaller diversions from screening requirements. The exemption for these six diversions should also acknowledge the incidental take of winter-run Chinook salmon and other species, should they become listed under the Endangered Species Act.

The assistance and support of NMFS and the other resource agencies is essential as we move forward with design and construction of a fish screen that will meet the required performance criteria. We are grateful for your past support and will call upon your stated commitment to provide technical assistance in the design of the permanent barrier and in securing permits and processing the environmental documentation.

As a final observation on our efforts these past four years, the District's testing of an alternative to the traditional fixed screen barrier has demonstrated that a louvered flow distribution barrier could be an economical means of significantly reducing the take of fish at diversion sites. The relatively low cost of this behavioral barrier alternative to a positive barrier screen, in combination with the biological effectiveness observed in 1995 and 1996, support further consideration of this approach as a low-cost interim measure at a number of existing unscreened diversions. Therefore we believe the State and federal agencies should encourage and support programs to continue this testing.

We look forward to your continued support and assistance.

Sincerely,



Luther P. Hlntz  
General Manager

LH:clb

cc:	Rep. Vic Fazio	Martin Hochman	Jim Lecky
	Roger Patterson	Chris Mobley	Ron Brockman
	Jim McKeivitt	Ronald Bochman	Banky Curtis
	Dan Odenweller	Nick Villa	Rick Wantuck
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