

State of California

Before the Delta Vision Task Force and Committee

**In the Matter of the Construction of the Peripheral Canal
And the Collapse of the Bay Delta Estuary**

**Comments and Recommendations of the
California Salmon and Steelhead Association**

The regulatory system is broken in California. Balancing the beneficial needs of the people's water has been forgotten. The Bay Delta Estuary has been harmed and damaged by the state and federal pumps. The salmon fisheries in California have been significantly and adversely affected because of the loss of habitat in the Sacramento and San Joaquin river watersheds. The commercial salmon fishing fleet has nearly been exterminated. The major problem is the State Water Resources Control Board and its staff failure in balancing the beneficial use of the people's water all over California. With full knowledge of the harm and damage caused by the State Water Board to the people's trust assets, we have no assurances and confidence that the proposed peripheral canal will be constructed and managed to restore the Bay Delta Estuary.

The following are the comments and recommendations of the California Salmon and Steelhead Association:

The operations of the State Water Project and the Central Valley Project have caused the adverse effects and the collapse of the Bay Delta Estuary.

California voters did not approve the original Peripheral Canal.

The majority of California voters must approve, by vote, the newly proposed Peripheral Canal.

Pursuant to the California Environmental Quality Act and the National Environmental Policy Act, the State of California and the federal government must prepare a joint environmental document for the proposed Peripheral Canal following the approval of the project by California voters.

The draft and final CEQA and NEPA document for the proposed Peripheral Canal must include Biological Opinions for all endangered and threatened fish, wildlife, and plant species to be affected by the proposed project and have been affected by the SWP and the CVP.

The draft and final CEQA and NEPA document for the proposed Peripheral Canal must include Operating Criteria for the operation of the project before the project is implemented.

The plan for the development and implementation of the proposed Peripheral Canal must comply with state and federal statutes and regulations. i.e. Clean Water Act; Endangered Species Act; Public Trust Doctrine, California Water Code, et al.

The parties that use the water diverted by the proposed Peripheral Canal must fund the proposed project. It would be unreasonable for the people that will not receive water from the proposed Peripheral Canal to be required to pay for it.

The State of California and all applicable state statutes must control all decisions pertaining to the proposed Peripheral Canal. Federal control of the proposed Peripheral Canal must not be allowed since the proposed project affects the trust assets owned by the people of California.

The parties that use the water diverted by the proposed Peripheral Canal must fund the maintenance and operations of the proposed project.

The proposed Peripheral Canal must not interfere with or affect existing water rights held by all water users in all counties of the Bay Delta Estuary Areas.

The proposed Peripheral Canal must not affect water quality in water right diversions held by all water right users in all counties of the Bay Delta Estuary Area.

The proposed Peripheral Canal must not affect water quality in the Bay Delta Estuary and must prevent salinity from affecting water quality in the Bay Delta Estuary.

The proposed Peripheral Canal must improve water quality in the Bay Delta Estuary Area to pre-project State Water Project and pre-project Central Valley Project conditions.

The proposed Peripheral Canal must comply with the provisions of the federal Endangered Species Act and the project must prevent harm, injury, and jeopardy to all threatened and endangered fish, wildlife, and plant species and their habitats that may be affected by the proposed project.

There must be accountability for every acre-foot of water presently diverted through the State Pumps and the Federal Pumps, and also proposed to be diverted through the State Pumps and Federal Pumps in the future. DWR and the USBR must provide that data and information.

The accountability of the water being diverted at the State Pumps and the Federal Pumps by DWR and the USBR must show the sources where the water is stored and diverted.

Daily diversion schedules for the proposed Peripheral Canal must be planned for every water year type to prevent harm and injury to the: Bay Delta Estuary; water quality in the Bay Delta Estuary; water users in the Bay Delta Estuary; Endangered and Threatened fish species and all fish species in the Bay Delta Estuary; endangered and threatened fish species and all fish species in the rivers where the water is stored and diverted to the proposed Peripheral Canal.

The proposed Peripheral Canal design must have a specific compensation plan to mitigate for the losses of all races of Chinook salmon species at the state pumps since commencement of pumping water from the Delta Estuary.

The proposed Peripheral Canal design must have a specific compensation plan to mitigate for the losses of Steelhead Trout species at the state pumps since commencement of pumping water from the Delta Estuary.

The proposed Peripheral Canal design must have a specific compensation plan to mitigate for the losses of Striped Bass species at the state pumps since commencement of pumping water from the Delta Estuary.

The proposed Peripheral Canal design must have a specific compensation plan to mitigate for the losses of Delta Smelt from pumping at the state pumps since commencement of pumping water from the Delta Estuary.

The proposed Peripheral Canal design must have a detailed plan to maintain and improve populations of Spring-run Chinook salmon species during upstream (adult fish) and downstream migration (juvenile fish) patterns in the San Joaquin River watershed and the Sacramento River watershed.

The proposed Peripheral Canal design must have a detailed plan to maintain and improve populations of Winter-run Chinook salmon species during upstream (adult fish) and downstream migration (juvenile fish) patterns in the San Joaquin River watershed and the Sacramento River watershed.

The proposed Peripheral Canal design must have a detailed plan to maintain and improve populations of Fall-run Chinook salmon species during upstream (adult fish) and downstream migration (juvenile fish) patterns in the San Joaquin River watershed and the Sacramento River watershed.

The proposed Peripheral Canal design must have a detailed plan to maintain and improve populations of Steelhead Trout species during upstream (adult fish) and downstream migration (juvenile fish) patterns in the San Joaquin River watershed and the Sacramento River watershed.

The proposed Peripheral Canal design must have a detailed plan to maintain and improve populations of all races of salmon and also steelhead in the Trinity River watershed.

The proposed Peripheral Canal design must have a detailed plan to maintain public recreation facilities and reservoir levels for public recreation at all storage facilities being used for water to be stored and diverted to the proposed Peripheral Canal. Some of those storage facilities are: Oroville Reservoir; Shasta Reservoir; Trinity Reservoir, et al.

Most importantly, there must be a specific plan to decommission the proposed Peripheral Canal in the event it fails and to mitigate all damages. The water users who receive water from the proposed Peripheral Canal must fund the decommissioning of the project.

Respectfully Submitted

Signed by Bob Baiocchi

**Bob Baiocchi, Executive Director and Water Rights Consultant
California Salmon and Steelhead Association
P.O. Box 1790
Graeagle, CA 96103
E-Mail Address: rbaiocchi@gotsky.com**

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*** The author of the above comments and recommendations was born in San Francisco in 1931 and he recreated in the Bay Delta Estuary beginning in the late 1930s and early 1940s with his father when the Delta Estuary was whole and healthy. He grew up with commercial and sport fishermen, and assisted in the sale of asparagus grown on islands in the Delta Estuary. He has extensive experience in dealing with the State Water Board and other state and federal regulatory agencies.**