

January 7, 2005

Mr. L. Ryan Brodrick, Director
California Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

Subject: DFG Response to NOAA Fisheries Proposed Listing, 27 ESUs of west coast salmonids, "Threatened" status of California Central Valley steelhead

Dear Mr. Brodrick:

California Trout, Trout Unlimited and the Northern California Council of the Federation of Fly Fishers have strong objections to your letter to NOAA Fisheries of November 12, 2004, in which delisting of northern Central Valley steelhead is suggested. We would like to work with you and your staff to assure that both steelhead and non-anadromous rainbow trout in the Central Valley are protected from possible extinction and yet continue to be available for recreational sport angling. Our purpose is to ask that you consider additional information and a new basis for the Department to supercede some of its positions outlined in the NOAA Fisheries letter. Our reasoning includes that the Department's letter did not consider the impact of Bureau of Reclamation and State Department of Water Resources water export plans and that since the Department's writing NOAA has published proposed 4d rules on resident and anadromous fisheries which, if adopted, may help preserve the sport fishery on the Sacramento River.

As stakeholders in California's Public Trust fish and wildlife resources we request that the Department of Fish and Game modify its position as stated in your November 12, 2004 letter to Ms. Donna Darm, Chief, Protected Resources Division, National Marine Fisheries Service. We ask that the Department revisit the question of counting resident rainbow trout as essentially equivalent to the anadromous form and urge NOAA Fisheries to retain its "Threatened" status on California Central Valley steelhead below major dams throughout the ESU. We believe there are other ways of continuing to offer quality trout fishing in the anadromous reaches of the Central Valley under the Endangered Species Act. We offer to join the Department in petitioning NOAA Fisheries to maintain its "Threatened" status on the anadromous form of Central Valley steelhead and request that no action be taken by NOAA Fisheries to further limit sport angling for resident trout and steelhead in the Central Valley ESU.

We understand the Department's concern with the possibility that recreational angling in the Redding area might be adversely affected by the ESA "Threatened" status which applies throughout the Sacramento - San Joaquin Rivers system. We share that concern. NOAA has recently proposed 4d rules that would apply to steelhead and resident trout populations. A positive alternative would be to work with NOAA Fisheries to implement 4d rules and Fishery Evaluation Management Plans (FMEP's) to allow sport fishing to continue.

We have reviewed the Department's November 12 Central Valley steelhead position letter and are frankly at a loss to find any sound scientific basis for the recommended delisting. The letter's attachment relies on the mathematical extension of facts related to a resident rainbow trout population having had no geographical relationship to sea-run steelhead for over 60 years. In requesting de-listing, it also fails to consider the effects of this recommendation on the diminished abundance of the anadromous form of *Oncorhynchus mykiss* in the central and lower Sacramento River.

Further, the letter and its accompanying documentation completely ignore well-advanced federal government planning activities to increase Sacramento River water exports using the Sacramento River as a conduit. Those U.S. Bureau of Reclamation plans, which may require supporting action by the State Department of Water Resources, shall be clearly deleterious to Central Valley steelhead and salmon. That omission forms another basis for modifying the Department's November 12 policy expression.

Unfortunately, the DFG letter goes so far as to suggest that the loss of anadromous forms of *O. Mykiss* may actually be beneficial. We view this statement as particularly damaging.

The Federation of Fly Fishers, Trout Unlimited and California Trout partnered with the Department through the 1991 Upper Sacramento River metam sodium disaster and recovery. We understand and continue to appreciate the restoration of the native rainbow trout population which took place there, though the estimated recovery level of 8,150 trout per mile used in the Department's comments is based on post-spill carcass counts and is grossly inflated. The inescapable fact is that Shasta Dam separates the Upper Sacramento River from the riverine area below it. We know of no studies which would allow the type of extrapolation of anadromous steelhead numbers lying below a major reservoir such as Shasta Lake to be based on the native trout population located above it. And to extend these numbers downstream to Hamilton City is simply incredible.

The NOAA Fisheries letter contains no analysis of the effect of water export proposals of the Bureau of Reclamation on either salmon or steelhead in the main stem of the Sacramento River or downstream on the American River in future years. Neither are Department of Water Resources obligations at Oroville and on the Feather River taken into consideration. And yet these exports will surely have a negative effect on Central Valley steelhead, as well as certain runs of salmon. Failure of the Department's "study" to consider these plans offers it an opportunity to ask NOAA Fisheries to set aside the November 12, 2004 letter.

And finally, the change in the Department's posture as expressed in the NOAA Fisheries letter is at such drastic variance with its prior long-held and thoughtfully developed scientific studies and positions that it reflects poorly on California's ability to protect its public trust resources.

We have presented a few of the more obvious criticisms which apply to the Department's November NOAA Fisheries letter. We have also suggested a way out of what we perceive as a reconcilable dilemma. We would like to work with you to make sure that good science prevails and our Central Valley steelhead and native trout populations and sport fishing future are assured through good public policy positions. We look forward to meeting with you.

Sincerely,

Charles P. Bucaria, Sr. for

Phil Greenlee,
President
Northern California Council,
Federation of Fly Fishers

David Katz ,
California Director
Trout Unlimited

Brian Stranko,
Executive Director
California Trout

cc: Larry Weeks, Native Anadromous Fish and Watershed Branch