



April 29, 2010

The Honorable Senator Dianne Feinstein
331 Hart Office Building
Washington, D.C. 20510

Re: April 26, 2010 Letter to Secretary Locke

Dear Senator Feinstein:

We represent the recreational and commercial salmon industries of California, approximately 500,000 recreational fishermen and over 2,000 small and large businesses in the State of California. As you know, our industries have been shut down for the past two years because the Sacramento River's once abundant fall chinook salmon populations have collapsed. The cost of this shutdown to the California economy has been \$1.4 billion annually with 23,000 jobs lost.

Your April 26, 2010 letter to Secretary of Commerce Gary Locke, requesting changes in the National Marine Fisheries Service (NMFS) biological opinion of June 2009, causes great concern among your constituents. This opinion protecting the Central Valley salmon runs is the result of six years of scientific studies and has been carefully peer reviewed and confirmed as sound science. This biological opinion is currently the only thing that stands between struggling salmon runs and extinction.

We are aware of the needs of the Westlands Water District. However, the narrow economic interest of one powerful agribusiness group should not be allowed to put the West's iconic salmon runs, fishing families, and fishing jobs in the entire state in jeopardy. Westlands' presumed entitlement to enormous amounts of subsidized, government-provided water is wholly without justification. These are junior water rights holders and they have no lawful right to endanger the environment or coastal economies.

This spring is a critical period for salmon survival. For example, according to NMFS, 26 percent of the fall-run smolt population will be migrating through the Delta during May, the largest percentage of the fall-run smolt population during any single month. It is also critical to note that in the fall of 2009 the fall-run returning salmon reached an all time

low of 39,500 spawners in the absence of any harvest. As recently as 2002 the return was 769,900 fish. The offspring of 2009's record low salmon return are now migrating down the Sacramento River and attempting to traverse the Sacramento-San Joaquin Delta. If pumping is increased at this time, up to 92 percent of these smolts could be pulled out of their natural migration route and into the hostile central Delta to perish. The biological opinion prevents this salmon disaster from happening. Closing the cross channel gates at Walnut Grove and curtailing pumping so the Old and Middle Rivers are not in a reverse flow conditions are two critical parts of this biological opinion.

We would also respectfully point out a few errors in the April 26th letter. Contrary to the letter, the recent National Academy of Sciences interim report supported the science behind biological opinion and found that no other measures "would provide equal protection to the fishes while reducing restrictions on water diversions." (P. 48) Moreover, it is not accurate to blame all pumping restrictions on Action IV.2.1 of the salmon biological opinion. State law restrictions under D-1641 require similar pumping restrictions at this time. Finally, NMFS has estimated that the water costs associated with the biological opinion to be 5 to 7 percent of average annual combined exports. These modest reductions are a reasonable price to pay to prevent catastrophic salmon fishing closures in the future.

In the interest of the salmon industry and the millions of Californians who support viable salmon populations in the future, we respectfully request that you reconsider your request to Secretary Locke.

Sincerely,

Dick Pool
Administrator
Water4Fish

Marc Gorelnik
Director
Coastside Fishing Club

Zeke Grader
Executive Director
Pacific Coast Federation of Fishermen's Associations

Mike Hudson
President
Small Boat Commercial Salmon Fishermen's Association

Bruce Tokars
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Salmon Water Now!

Roger Thomas
President
Golden Gate Fishermen's Association

Paul Johnson
Founder/Owner
Monterey Fish Market

Mark Mlcoch
President
NorCal Fishing Guides & Sportsmen's Association

Cc: Representative Jim Costa
Representative Dennis Cardoza
Secretary Gary Locke
Secretary Ken Salazar
CEQ Chair Nancy Sutley