

99-153

HERUM CRABTREE
BROWN DYER
ZOLEZZI TERPSTRA

MAY 19 1999

May 14, 1999

Jeanne M. Zolezzi
jzolezzi@herumcrabtree.com

VIA FACSIMILE

Lester A. Snow
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, California 95814

Re: CALFED – Proposal Solicitation of Calaveras County Water District

Dear Lester:

This letter is written on behalf of the Stockton East Water District (SEWD) with regard to the Calaveras County Watershed Management and Stewardship Program proposal submitted to CALFED for funding by the Calaveras County Water District (CCWD) on April 15, 1999.

SEWD supports Resolution No. 99-17 adopted by the CCWD Board of Directors, which supports the pursuit of funding from CALFED for district-wide projects related to watershed management and water quality issues relative to the Calaveras, Stanislaus and Mokelumne Rivers. Further, we agree with the CCWD statement that “restoring, rehabilitating and enhancing the watershed of the foothills and mountains tributary to the Calaveras, Mokelumne and Stanislaus Rivers is in our mutual best interest.”

However, we must express our disagreement with several of the tasks set forth in the proposal:

- | | |
|----------|--|
| Task E | Calaveras River Anadromous Fisheries Restoration |
| Task E-1 | Conjunctive Water Use Study |
| Task E-2 | Preliminary Fluvial Morphology Field Investigation |
| Task E-3 | New Hogan Lake Conservancy’s Project |

Because the district was included in the list of Participant/Collaborators, we must correct any misperception by expressing our disapproval of these specific tasks. The tasks listed above are not appropriately included in the CCWD proposal because they (1) are not located within the jurisdictional territory of CCWD, and (2) do not involve watershed of the foothills and mountains tributary to the Calaveras, Mokelumne or Stanislaus Rivers.

Lester A. Snow
May 14, 1999
Page 2 of 2

Most importantly, the tasks listed above are not appropriately included within CALFED's purview. As mentioned in the proposal, CALFED's own environmental document states that Chinook Salmon is not a focus of the restoration for the Calaveras River. The conclusion was reached after consideration of the evidence regarding the Calaveras River.

Data on the Calaveras River indicates that there has never been a run of Chinook salmon in that watershed. In very wet years, anadromous fish from other river systems may stray into the Calaveras River system. However, because of the natural hydrology of the river, which is fed only by rainfall and is dry for much of the year, such runs could never have been established and cannot be maintained. To date CALFED has recognized this reality.

On past occasions the Department of Fish and Game has commended SEWD for its cooperation and assistance in helping the stray salmon that have appeared on the river. The district is always willing to provide assistance, to the extent that it does not interfere with its mandate to maximize water resources available to water users within its boundaries. However, we feel it is imperative to recognize that our efforts do not involve the creation, maintenance or restoration of a salmon run on the Calaveras, when one never existed under natural conditions.

We do not believe that such a goal should be promoted by CCWD, and certainly should not be supported by CALFED. We will continue to work with CCWD to modify its proposal so that we can provide our full support.

Very Truly Yours,



JEANNE M. ZOLEZZI
Attorney-at-Law

JMZ:des

cc: Honorable Michael J. Machado
Mr. Edward M. Steffani, Stockton East Water District
Mr. Simon Granville, Calaveras County Water District
Virginia Cahill, Esq.