

CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

20 October 1997

Sharon Gross
CALFED Bay-Delta Program
1416 Ninth Street
Suite 1155
Sacramento, CA 95814

RE: Supplemental Notice of Intent to Prepare an EIS/EIR (62 Fed. Reg. 45683)

Dear Ms. Gross:

The California Sportfishing Protection Alliance endorses the scoping comments being submitted by the Environmental Water Caucus. These additional comments reflect some specific concerns that CSPA has regarding the possible inclusion of flows in an HCP "no surprises" policy. As a public trust advocacy organization with an emphasis on re-establishing flows to California waterways, we foresee a number of potential conflicts if a "no surprises" guarantee is granted to non federal agencies as part of an HCP.

At the October 14, 1997 Public Scoping Meeting held in Berkeley, California, it was stated that nothing has been determined whether or not flows would be included in an HCP. Flows are regulated under state and federal jurisdictions, and are also affected by weather, return flow management, diversion by riparian users, under-regulated pumping of underflow, aquifer drawdown, and land use practices reaching into the headwaters of California streams.

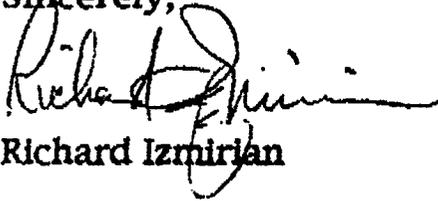
If the proposed HCP set a minimum flow standard, how would each of these elements be incorporated into the flow standard? What entities would receive a no surprises guarantee? What would be the nature of the guarantee? If it is determined through adaptive management that certain flows must be increased, how will the additional flows be secured?

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The State Water Resources Control Board is charged with the responsibility of safeguarding public trust assets by ordering streamflows capable of maintaining fisheries in good condition. Although the SWRCB has failed to embrace this responsibility, CALFED should consider all possible consequences of supplanting SWRCB authority with an HCP.

Thank you for your attention to our concerns.

Sincerely,



Richard Izmirian

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