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Responses

E-021255

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CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
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September 15, 1999

Re: the CALFED Bay-Delta hearing of September 14, 1999

Dear Mr. Madigan and BDAC Members:

At the hearing it was said that:

Arthur Unger does not respect private property rights.

Due to the ESA, a farmer was thrown into jail for harming a few rats.

If you do not consider either of these two statements to be relevant, you may now recycle this letter. Otherwise, please read on.

Re: Arthur Unger does not respect private property rights.

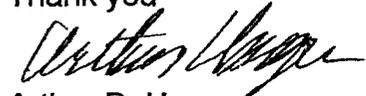
When I read in the paper that I had said agency personnel could enter property without permission or warrant, I phoned the reporter and said I could never have said such a thing. When I discovered the report was correct, I apologized for saying this. My apology was printed as a letter to the editor of the Bakersfield Californian. I can supply the text.

Re: A farmer was thrown into jail for harming a few rats.

The US attorney in Fresno can confirm the below facts:
Tuang Ming-Lin purchased 723 acres of land in Kern County for \$1.65 million in 1991. This is about seven times what similar farm land is worth; please check local sources to verify that Mr. Lin paid seven times the going price, or delete this sentence. The land is typical of the habitat of three endangered species, including Tipton kangaroo rat. Tipton's is one subspecies of one of the several species of kangaroo rat. When a California Department of Fish and Game warden noticed a well being drilled on this land, a search for the ownership of the land was made. Ownership was determined and, in November of 1992, a

registered letter was sent to Mr. Lin, requesting that he obtain a permit. One newspaper account quotes Mr. Lin as saying that since one of his many house guests signed for the letter, he never received it. In February, 1994, it was noted that the land was being plowed. Two visits from government agents failed to stop the plowing. On a third visit, five dead Tipton kangaroo rats were found and the instrument of the crime, a tractor, was seized.

Thank you



Arthur D. Unger