

**From:** "Bob Baiocchi" <rbaiocchi@gotsky.com>  
**To:** <Bay-Delta@waterboards.ca.gov>  
**Date:** 1/21/2010 3:53 PM  
**Subject:** Re: Informational Proceeding to Develop Flow Criteria for theDelta Ecosystem - Organization of Groups and Panels

January 21, 2010

Attention Mr. Phil Crader, Project Manager, Division of Water Rights, Informational Proceeding Before the State Water Board to Develop Flow Criteria for theDelta Ecosystem - Organization of Groups and Panels

State Water Resources Control Board Bay-Delta Hearing Team. I am late regarding comments. I received a variance from you regarding being late. The following are my comments regarding scientific topics for said panels and experts to investigate:

1. Investigate the losses of fish at the State Pumps. The information and data should be from the time the State Pumps became operational to the present time.
2. Determine the best solution to reduce or eliminate the losses of fish species at the State Pumps. The species are Chinook salmon; steelhead trout; and striped bass juvenile fish.
3. Investigate and obtain the information and data regarding the amount of water pumped daily, monthly, and annually through the State Pumps to the California Aequeduct et al. Obtain this information from the California Department of Water Resources. The information and data should be from the time the State Pumps became operational to the present time.
4. Investigate the losses of fish at the Federal Pumps. The information and data should be from the time the Federal Pumps became operational to the present time.
5. Determine the best solution to reduce or eliminate the losses of fish species at the federal Pumps. The species are Chinook salmon; steelhead trout; and striped bass juvenile fish.
6. Investigate and obtain the information and data regarding the amount of water pumped daily, monthly, and annually through the State Pumps to the California Aequeduct et al. Obtain this information from the California Department of Water Resources. Include all temporary change and temporary agency petition water transfers. The information and data should be from the time the State Pumps became operation to the present time.
7. Investigate and obtain the information and data regarding the amount of water pumped daily, monthly, and annually through the Federal Pumps to Central Valley Project diverters et al. Obtain this information from the US Bureau of Reclamation. Include all temporary change and temporary agency petition water transfers water transfers.
8. When investigating information and data regarding daily, monthly, and annual flows flowing into the Bay Delta Estuary from the Sacramento River Watershed, include all riparian, pre-1914, and unauthorized diversions. This information should include project water (USBR-DWR) and non-project water,

and also storage data, including water transfers commencing when the State and Federal Pumps were operational. Obtain this information from the Department of Water Resources and the US Bureau of Reclamation.

9. When investigating information and data regarding daily, monthly, and annual flows flowing into the Bay Delta Estuary from the San Joaquin River Watershed, include all riparian, pre-1914, and unauthorized diversions. This information should include project water (USBR) and non-project water, and also storage data, including water transfers commencing when the State and Federal Pumps were operational. Obtain this information from the US Bureau of Reclamation.

10. When investigating information and data regarding daily, monthly, and annual flows flowing into the Bay Delta Estuary, include the daily, monthly, and annual diversions of water from the Trinity River watershed into the Sacramento River watershed by the US Bureau of Reclamation.

11. When investigating salmon populations levels and the relationship to fish losses at the State and Federal Pumps in the Bay Delta Estuary, collect all surveys counts and estimates of spawning salmon (all races) in all tributaries to the Sacramento River during post-project periods (USBR-DWR) and pre-project periods (USBR-DWR). This information should be available from the California Department of Fish and Game. Those tributaries are: American River; Bear River; Yuba River; Feather River; Butte Creek; Big Chico Creek; Deer Creek; Mill Creek; Battle Creek; Bear Creek; Cow Creek; Above Shasta Dam (McCloud River; Pit River; Upper Sacramento River; et al); Clear Creek; Cottonwood Creek; Paynes Creek; Antelope Creek; Elder Creek; Thomas Creek; and Stony Creek, including the Sacramento River.

12. When investigating steelhead trout populations levels and the relationship to fish losses at the State and Federal Pumps in the Bay Delta Estuary, collect all surveys counts and estimates of spawning salmon (all races) in all tributaries to the Sacramento River during post-project periods (USBR-DWR) and pre-project periods (USBR-DWR). This information should be available from the California Department of Fish and Game. Those tributaries are: American River; Bear River; Yuba River; Feather River; Butte Creek; Big Chico Creek; Deer Creek; Mill Creek; Battle Creek; Bear Creek; Cow Creek; Above Shasta Dam (McCloud River; Pit River; Upper Sacramento River; et al); Clear Creek; Cottonwood Creek; Paynes Creek; Antelope Creek; Elder Creek; Thomas Creek; and Stony Creek, including the Sacramento River.

13. When investigating salmon populations levels and the relationship to fish losses at the State and Federal Pumps in the Bay Delta Estuary, collect all surveys counts and estimates of spawning salmon (all races) in all tributaries to the San Joaquin River during post-project periods (USBR-DWR) and pre-project periods (USBR-DWR). This information should be available from the California Department of Fish and Game. Some of those tributaries are: Merced River; Tuolumne River; Stanislaus River; Calaveras River; Mokelumne River; Consumnes River; and Above Friant Dam in the San Joaquin River watershed.

14. When investigating striped populations levels and the relationship to fish losses at the State and Federal Pumps in the Bay Delta Estuary, collect all surveys counts and estimates of striped bass (all life stages) in the Sacramento River watershed and San Joaquin River watershed, and the Bay

Delta Estuary during post-project periods (USBR-DWR) and pre-project periods (USBR-DWR). This information should be available from the California Department of Fish and Game.

15. The above information is very important to show the Board, the California Legislature, and the people whether the losses to salmon, steelhead, and striped bass were caused by the State and Federal Pumps; caused by the loss of the habitat in tributaries to the Bay delta Estuary; or caused by a cumulative effects from the State and Federal Pumps and loss of habitat in tributaries.

I recommend you share the above information with the 11 experts selected by the Board in this proceedings, including the parties that filed intents to appear. I plan to testify and provide evidence.

Thank you for the opportunity to submit recommendations.

Respectfully

Robert J. Baiocchi, President  
California Fisheries and Water Unlimited  
California Non-Profit Corporation

----- Original Message -----

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Cc: <Bay-Delta@waterboards.ca.gov>  
Sent: Thursday, January 07, 2010 5:38 PM  
Subject: Informational Proceeding to Develop Flow Criteria for theDelta

## Ecosystem - Organization of Groups and Panels

Good afternoon,

As stated in the notice for this proceeding, we are interested in hearing participants' views on how to divide panels by scientific issues, so that panels comprised of experts for different participants may present scientific information and testimony pertaining to specific issues as a group. This grouping could be based upon scientific topics that need to be considered in developing criteria. Scientific topics could include fishery needs, food web needs, water quality, and invasive species management.

Yesterday, we provided all parties submitting an NOI with the names and contact information of the other participants. We request that participants respond with an email to Bay-Delta@waterboards.ca.gov by noon next Thursday, 1/14/10, with 1) a final proposal to organize into groups with the purpose of briefly summarizing exhibits, and 2) suggestions as to what topics should serve as the basis for formation of expert panels. We will use that information, together with what we heard today, to revise, as appropriate, the hearing procedures as they relate to the amount of time that will be made available for panels versus individual participants; with more time made available for panels. We will assume that those participants who do not respond to this request do not wish to participate in a group.

Please contact me with questions regarding this matter.

Best regards,  
Phil Crader