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March 2, 2007

<u>VIA HAND DELIVERY</u>

Gita Kapahi, Chief
Bay Delta/Special Projects Unit
1001 "I" Street, Second Floor
Sacramento, CA 95814

Re: Comments of the Kern County Water Agency and State Water
     Contractors for the March 22-23, 2007 Pelagic Organism Decline Workshop

Dear Ms. Kapahi:

In your public notice of February 13, 2007, you requested written comments for the March 22-23, 2007 public workshops on the Pelagic Organism Decline (POD) be filed by today. Our clients, the Kern County Water Agency and State Water Contractors, as well as other parties such as the Department of Water Resources, intend to submit written comments pursuant to your requests, but we will submit these materials by Thursday of next week (March 8, 2007).

This delay is necessitated by the fact that our fisheries biologists and other staff have been participating this week in the Interagency Ecological Program 2007 Annual Workshop at the Asilomar Conference Grounds in Pacific Grove, California. In addition to making them unavailable to complete their written submittals, the conference is generating additional data and reports, which we and others intend to include in our POD Workshop presentations. Final review and summarization of the relevant information from the Asilomar conference will take several days, precluding submission of this material today. We will file the written materials as soon as possible next week.

We expect to have several speakers at the POD Workshop, including Chuck Hanson and Rick Sitts, two of the biologists who are attending the Asilomar conference. Cliff Schulz of this office will also make an oral presentation regarding our clients' views on the POD studies in light of the scientific data that currently exists.

Thank you for your understanding. Ultimately, this delay will enable us to present your staff and the Board the most up-to-date scientific information.

Sincerely,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
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