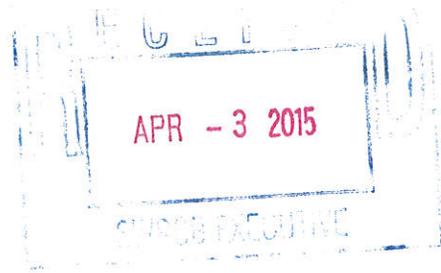


April 1, 2015

Tom Howard, Executive Director
State Water Resources Control Board
1001 I Street
Sacramento, Ca. 95814



DWR

RE: WATER CONSERVATION – FISH FLOWS? DURING A DROUGHT?

Dear Tom,

I am a resident in Copperopolis, Ca.. If you include our neighboring communities of the Don Pedro Reservoir, and add the State prison that resides about 5 miles away from Lake Tulloch, we have a total population of about 14,000 people that are seriously impacted by a water crisis in our region. Ultimately the entire State of California will suffer, but for now, our region will be hard hit...soon! We have an estimated 750 million dollars of real estate that has been developed in this region over the last 40 years. With the wasteful “water policy” that continues to run without interruption, this entire region may be destroyed. We need a change!

The general population of California is now intensely focused on the “Water Management” in this state. Why? Because we are in the worst drought in 65 years! NASA Scientists are estimating that our state has a water supply for ONE MORE YEAR! Governor Brown just announced yet another proclamation concerning the “water crisis”, mandated rationing, and a full spectrum of tighter and more intelligent water management. This was released today. Good! Many believe that this stated urgency, with defined constrictions might be a year too late.

In our region, why are so many people screaming for help? Because there is policy in place that should have been amended during our first year of drought! The Federal Bureau of Reclamation designed a “fish flow” water policy that is intended to help preserve salmon in our rivers. The original core of this policy initiated from the Endangered Species Act. Environmental concerns throughout our country are very important. The problem now, however, during a significant drought, is that this policy “prioritizes fish preservation over people”. This policy which involves high volume “water flows” down our rivers, will lead to dire consequences. Thousands of acre feet of water have been wastefully abandoned down our rivers over the last 3 ½ years, during a time that water conservation should have been our directive!

*1133 Shoreline Court, Copperopolis, Ca. 95228
(209) 785-1707 donoptions@live.com*

Last weekend many residents attended a very well organized "WATER FORUM" in Copperopolis. Among those who attended, were Congressman McClintock, Assemblyman Frank Bigelow, Tuolumne County Supervisor Karl Rodefer, Manager of SJID, Jeff Shields and President of FISHBIO, Doug Demko. I have attached a follow-up article, dated March 20, 2015, that summarizes the information presented. Jack Cox moderated the forum. This information exchange was very well done. Doug Demko, came to this Forum with an extensive resume that involves 20 years of "fishery research". His resume included a study on Chinook Salmon, whereby he prepared an extensive report for US Senator Diane Feinstein, prior to a Congressional Meeting. Mr. Demko is very well respected! In his presentation during this Forum, he concluded that the effectiveness of this "fish flow" policy is poor. Per the attached article, he provided statistics that illustrated disappointing population growth for this species. Admittedly many of the attendees only became more frustrated with this "fish flow" policy. It is frustrating for us to watch our reservoirs drop daily due to this mandated "fish flow" requirement. Our frustration becomes exponential when we learn that this policy is ineffective!

I have also included letters from Tom McClintock to the following agencies: A) Commissioner Estevan Lopez, Federal Bureau of Reclamation- 3/20/15 B) Regional Director, Ren Lohofener, Pacific Southwest Region, US Fish & Wildlife Service, Bill Stelle, Regional Administrator, National Oceanic & Atmospheric Admin., David Murillo, Regional Director, US Bureau of Reclamation 3/11/15 C) Felicia Marcus, State Water Resources Control Board 3/26/15. Congressman McClintock continues to echo the same problem. He also clearly defines the solution.... DURING A DROUGHT, WE SHOULD AMEND OUR "FISH FLOW" POLICY, WHERE WATER CONSERVATION SHIFTS THE FOCUS TO PEOPLE. "FISH FLOWS SHOULD BE REDUCED OR STOPPED DURING A DROUGHT.

As the Executive Director of the State Water Resources Control Board, I respectfully ask you to help us modify these outdated "fish flow" policies. As citizens in this region, we are scared! Our drinking water comes from Lake Tulloch, as managed by CCWD. What will supply our community in January, 2016, if our lake is DRY?

Thank you,

Don Wells

SENT OVERNIGHT

*1133 Shoreline Court, Copperopolis, Ca. 95228
(209) 785-1707 donoptions@live.com*

THE UNION DEMOCRAT

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crisis

Steps: Water releases flawed

By ALEX MACLEAN
The Union Democrat

A panel of lawmakers, water managers and biologists at a public forum Saturday in Copperopolis took aim at

environmental policies that require dam operators to release billions of gallons of water annually from Sierra Nevada reservoirs to protect endangered fish.

More than 200 people gath-

ered Saturday morning inside the Black Creek Center for the "Lake Tulloch Water Crisis Forum" organized by the Lake Tulloch Alliance, an advocacy group for homeowners around Tulloch Reservoir.

"This isn't just our battle," said Alliance President Jack Cox, who moderated the forum. "It's a battle for all of California, particularly the San Joaquin Valley and the hills."

The forum's panel featured Congressman Tom McClintock, R-Roseville, Assemblyman Frank Bigelow, R-O'Neals, Tuolumne County

See TULLOCH/Back Page

TULLOCH

Continued from Page A1

District 5 Supervisor Karl Roeder, South San Joaquin Irrigation District General Manager Jeff Shields, and fish biologist Doug Demko, who all spoke in favor of reducing water releases from reservoirs during times of drought.

Last week, McClintock introduced legislation in the U.S. House of Representatives that would give state and federal dam operators the authority to temporarily halt all water releases mandated by the Endangered Species Act, such as increased flows to adjust river temperatures, in any drought-stricken areas.

McClintock and Congressman Jeff Denham, R-Turlock, were also credited last week for pushing federal regulators to reach a tentative agreement with Oakdale and South San Joaquin irrigation districts that would relax ESA-mandated releases in April and May from New Melones Reservoir.

However, the agreement between the districts and federal agencies still must be approved by the State Water Resources Control Board before it can be fully implemented. A decision is expected sometime in early April.

"If those people say you have to dump the water down the river, then it's going to happen," said Frank Clark, an OID board member who attended Saturday's forum. "Collectively, we have got to convince the State Water (Resources) Control Board to put an abatement on those issues for this year. If we don't do that, all this effort is lost."

The proposed agreement would hold 115,000 acre-feet behind New Melones through Sept. 30. Doing so would prevent OID and SSJID from draining Tulloch Reservoir, downstream from New Melones, to meet the irrigation needs of valley farmers this summer.

Tulloch-area homeowners were riled by an earlier proposal to essentially drain the



Alex MacLean / Union Democrat

More than 200 people attended the "Lake Tulloch Water Crisis Forum" Saturday at Black Creek Center in Copperopolis.

popular tourist attraction by July or August, driving well over 300 people to attend a March 7 community meeting at the Black Creek Center.

"This is a short-term deal ... and it's not a done deal," Shields told the audience Saturday. "We're just getting through our irrigation season and your recreation season. After that, we'll have to look at all this again."

The deal would provide SSJID and OID with 450,000 acre-feet for irrigation this summer, about 150,000 acre-feet less than normal. Shields said farmers will receive less water as a result, which will likely lead to crop losses and more groundwater pumping.

Calaveras County Water District spokesman Joel Metzger also spoke at the forum about the deal's importance to about 2,500 CCWD customers in Copperopolis who receive water stored in Tulloch Reservoir.

Metzger said CCWD could use the additional time to get together money and supplies for extending the district's intake pumps deeper in the reservoir.

Saturday's forum began about 10 a.m. with a presentation by panelist Demko, founder of the Oakdale-based Fishbio, an organization that has studied steelhead and

Chinook salmon runs in the Stanislaus River for OID and SSJID over the past 20-plus years.

The current schedule for water releases from dams that are part of the Central Valley Project, operated by the U.S. Bureau of Reclamation, is dictated by a 2009 biological opinion from the National Marine Fisheries Service.

The releases are intended to help restore steelhead and fall-run Chinook salmon populations in the tributaries that feed the San Joaquin River basin, where numbers have declined dramatically over the past century.

The California Fish and Wildlife Department has blamed the decline on a variety of factors, including pollution in the Sacramento-San Joaquin Delta, overfishing in the ocean, dams along the state's rivers and reduced river flows.

Demko said his organization has found "no evidence" that increasing flows in the river during dry years has resulted in more fish.

"More money has been spent trying to prove that single issue in the Central Valley in the last 20 years than any other," he said. "If pulse flows in those dry years really worked to increase survival,

wouldn't I be able to see it in the data? I can't."

One theory why more steelhead are not returning to the Stanislaus River, according to Demko, is because conditions below the dams have simply become too good thanks to releases from uphill reservoirs keeping water temperatures cooler throughout the year.

Before dams obstructed the passageway, Demko said steelhead would migrate to upper watersheds as water temperatures became too warm at lower elevations.

"Typically, if animals don't have to go anywhere, they won't," he said.

Meanwhile, Demko has counted between 5,000 and 6,000 adult Chinook salmon returning to spawn in the river during the fall in "good years," and only about 200 in "bad years."

The biological opinion's goal is to restore the run to about 11,000 fish, but the Stanislaus River now only has enough habitat to sustain a population of about 5,000, according to Demko.

Another factor Demko believes is influencing the lack of adult fish returning to the Stanislaus for spawning is high mortality rates among juveniles in the Delta, due to an abundance of non-native predatory species that were

introduced by earlier fish-planting practices.

After Demko's presentation, Bigelow said the government should stop prioritizing fish over humans during dry years when water supplies are scarce.

McClintock described the environmental policies dictating water management as "radical" and "retrograde," and suggested the only way to address future water shortages in California is to build more dams.

"There is this almost religious ideology that we need to return the landscape to its pristine, prehistoric condition," he said. "Unfortunately, that means returning humans to prehistoric conditions as well."

McClintock mentioned pulse flows that started last Wednesday out of New Melones that by April 2 will total 15,000 acre-feet of water.

McClintock's bill, HR 1668, or the Save Our Water Act, would prevent such releases in future dry years, though it will likely take months before Congress votes on it.

Although Saturday's discussion mainly focused on environmental policies and the proposed deal that would prevent the draining of Tulloch this summer, Rodefer used the opportunity to talk about preparing for the future.

Tuolumne County is facing an unprecedented situation with Pinecrest Reservoir, which holds most of TUD's annual water supply. Pinecrest isn't expected to completely fill from snowmelt this spring for the first time in recorded history.

Rodefer urged the public to start thinking about "rearchitecting the entire water system," because the current one wasn't designed to withstand prolonged droughts.

"We've got to stop figuring out how to get to Jan. 1, 2016, and start figuring out how to get to 2017 and 2018," he said. "This could be the new way of life around here."

Contact Alex MacLean at amaclean@uniondemocrat.com or 588-4530.

Congress of the United States
Washington, DC 20515

March 26, 2015

Ms. Felicia Marcus
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Marcus and fellow Board members:

We write to express our support for the adjustments contained in the U.S. Bureau of Reclamation's Temporary Urgency Change Petition (TUCP) for New Melones operations in the 2015 water year. Over the last month our offices, the USBR, the National Oceanic Atmospheric Administration Fisheries Office, local water districts, and local irrigation districts have been working on the allocation of water resources on the Stanislaus River watershed. The "deal" aims to protect municipal, agriculture, recreation, power water supply, steelhead population, and preserve at least a modicum of water storage behind New Melones Dam for the remainder of the water year.

We ask that you adopt the petition as submitted as an important component of the package the parties have agreed to for 2015 water year operations, since any change in conditions on the TUCP altering the delicate balance could put municipal supplies, agricultural supplies, power and recreation at risk

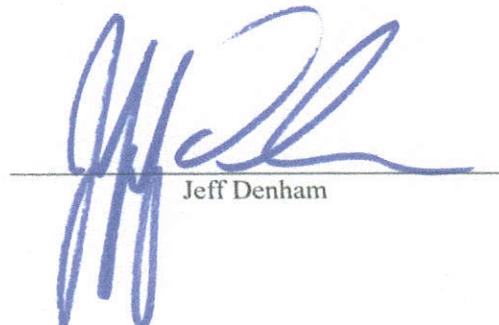
The "deal" is described to us as: 1) full implementation of the 2009 Long-Term Operational Criteria and Plan, Biological Opinion Table 2e flow schedule until September 30th; 2) irrigation districts will receive 450,000 acre feet as prescribed by prior agreements; 3) irrigation districts will work on extraordinary conservation measures to seek additional water in New Melones storage this summer; and, 4) Tulloch reservoir levels will be maintained to provide Calaveras County Water District's municipal supplies, and recreation for Tulloch Lake users. The "deal" projects New Melones having water storage of 115,000 acre feet on September 30th.

We repeat our position that in this perilous drought, any water release should be to meet critical human needs. While we are adamantly opposed to such releases from New Melones for the theoretical benefit of fish populations this year, this "deal" strikes a delicate balance between the competing needs for water on the Stanislaus River under exceptionally difficult conditions in this 4th sequential drought year. Thank you for your consideration.

Sincerely,



Tom McClintock



Jeff Denham

TOM McCLINTOCK
4th District, California

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COMMITTEE ON
NATURAL RESOURCES
SUBCOMMITTEE ON WATER AND POWER
CHAIRMAN
SUBCOMMITTEE ON PUBLIC LANDS
AND ENVIRONMENTAL REGULATION
COMMITTEE ON THE BUDGET

Congress of the United States
House of Representatives
Washington, DC 20515-0504

March 20, 2015

Commissioner Estevan Lopez
Bureau of Reclamation
US Department of the Interior
1849 C Street, NW, Room 7545
Washington, DC 20240-0001

Dear Commissioner Lopez:

Thank you for taking my call today regarding your agency's threat to accelerate environmental water spills from the New Melones Reservoir in California.

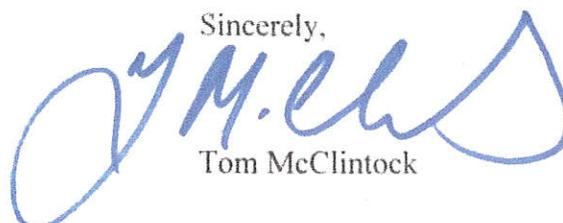
So that there is no possibility of misunderstanding, I want to put in writing what I told you on the phone – and in the strongest possible terms: the threatened release of water from the New Melones Dam for fish migration will have utterly catastrophic consequences to the thousands of residents who depend upon that water in the worst drought in the recorded history of California.

At the end of the rainy season in the fourth year of this ongoing drought, our snow pack is at 12 percent of normal and New Melones now holds just 25 percent of its normal capacity. For you to willfully release billions of gallons of water – when your agency has full discretion under current law whether to release it now – would be the most irresponsible act you could possibly make in your capacity.

I was stunned by your admission that you had not spoken with the Oakdale Irrigation District and were unaware of its prediction that this action will take the New Melones Reservoir to dead pool by August. I was even more stunned when you told me you were too busy to discuss it with their general counsel, Tim O'Laughlin. I appreciate your taking his number, and can only pray that you personally consult him before making so devastating a decision.

As an individual member of Congress, I cannot stop you from this fateful act. I can only express directly and unambiguously the consequences of it and to reiterate my warning to you: if you release this water for fish now and the human population of Copperopolis and surrounding communities runs dry as a result – it will be an entirely avoidable human tragedy of your own making.

Sincerely,



Tom McClintock

Congress of the United States

Washington, DC 20515

March 11, 2015

Mr. Ren Lohofener, Regional Director
Pacific Southwest Region, U.S. Fish &
Wildlife Service
2800 Cottage Way, Room W-2606
Sacramento, CA 95825

Mr. David Murillo, Regional Director
U.S. Bureau of Reclamation, Mid-Pacific
Region
2800 Cottage Way, Room MP-100
Sacramento, CA 95825

Mr. William Stelle, Regional Administrator
National Oceanic & Atmospheric Administration
Fisheries, West Coast Region
7600 Sand Point Way Northeast, Building 1
Seattle, WA 98115

Dear Regional Directors Lohofener and Murillo and Regional Administrator Stelle:

We write to express our grave concerns with the 2015 Drought Contingency Plan and subsequent updates for New Melones Reservoir operations and flow requirements for the remaining 2015 water year.

Last April/May, 2014, the U.S. Bureau of Reclamation drained approximately 60,000 acre feet of water from New Melones reservoir on the Stanislaus river – enough to meet the annual needs of a city of half a million people – in order to comply with environmental laws and regulations.

Since last year, drought conditions have only grown more severe, and many forecasts predict the drought to continue.

Proposed river releases in the coming months that are significantly higher than required under the 2009 Operations and Criteria Plan Biological Opinion for dry and critical water years will likely cause New Melones to reach dead pool by August. Even if operations of New Melones strictly followed the 2009 OCAP-BO, New Melones will reach dead pool by September or October, still causing a dry river for returning fall-run salmon.

If the reservoir reaches dead pool, communities that rely on Lake Tulloch (downstream of New Melones) for their water supply will be unable to access their water, irrigators downstream of Tulloch Dam will go without water during the hottest months of the year, and no flow will be available for fall-run salmon upon its return migration.

Our offices have had previous discussions with you and your staff and are acutely aware of the significant challenges this year causes for balancing the needs of the irrigators, power generation, recreation and the environment. However, pursuing a course of action that leaves no water available during some of the hottest months in the Central Valley and provides no options for

Mr. Lohofener, Mr. Murillo & Mr. Stelle
March 11, 2015
Page 2

returning fall-run salmon is a gross mismanagement of the river system and a failure to avert a preventable disaster

We request that your agencies enter immediate emergency consultation to devise a new plan that provides for reservoir and river releases to (1) allow for conservation of water in New Melones and Tulloch Reservoirs for as long as possible and (2) to provide certainty that the Stanislaus river will have flow throughout the remainder of the 2015 calendar year.

Our offices stand ready to assist you as needed and appreciate your immediate attention to this request.

Sincerely,



JEFF DENHAM
United States Representative



TOM MCCLINTOCK
United States Representative

Cc: Mr. Charlton H. Bonham, Director, California Department of Fish and Game