

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791

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FISH AND GAME  
COMMISSION  
2015 MAR 25 PM 2:07  
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**MAR 23 2015**

Mr. Sonke Mastrup  
Executive Director  
California Fish and Game Commission  
P.O. Box 944209  
Sacramento, California 94244-2090

Dear Mr. Mastrup:

The Department of Water Resources (DWR) is formally requesting the California Fish and Game Commission (Commission) to consider and approve regulation changes that will allow greater fishing pressure on Striped Bass in Clifton Court Forebay (Forebay). The justification for this request is to reduce predation of native fish species (Central Valley Spring Run Chinook Salmon, Central Valley Steelhead, and Green Sturgeon) protected under the Endangered Species Act (ESA) by increasing fishing pressure on Striped Bass in the critical location.

The National Marine Fisheries Service (NMFS) *Biological Opinion (BiOp) and Conference Opinion on the long-term Operations of the Central Valley Project and State Water Project* (June 2009) directs DWR to reduce pre-screen loss across the Forebay of ESA protected salmon and steelhead. Pre-screen loss refers to the loss of entrained fish occurring between the radial gates of West Canal to the John E. Skinner Delta Fish Protective Facilities on the southwest corner of the Forebay. This is also a requirement of the California Department of Fish and Wildlife (CDFW) through their related Consistency Determination. The NMFS BiOp also recommended that DWR "Petition the Fish and Game Commission to increase bag limits on Striped Bass caught in Clifton Court Forebay."

To be more specific, DWR requests the Commission remove the bag limit and size limit for Striped Bass specific only to the Forebay. Alternatively, the Commission could approve regulation changes to comport with the current Striped Bass fishing regulations in the Colorado River District, the Southern District, and New Hogan, San Antonio and Santa Margarita lakes where the bag limit is ten and there is no minimum size limit. DWR submitted previous requests to the Commission in letters dated March 24, 2011 and December 6, 2011 (copies attached). To date, DWR has not received a response from the Commission.

Scientific studies conducted in the past by DWR and CDFW have shown that pre-screen loss of native juvenile salmon and steelhead within the Forebay is approximately 80 percent and is primarily due to predation by Striped Bass. More recently, field sampling being conducted by DWR has shown that nearly 90 percent of the Striped Bass caught by DWR biologists using hook and line have been under the current size regulation of

Mr. Sonke Mastrup

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eighteen inches (see Figure 1). DWR believes that relaxation of the bag and size limits could reduce the numbers of predatory Striped Bass in the Forebay which, in turn, could improve survival of ESA listed fish species.

I am making DWR staff available and would appreciate the opportunity for my staff to meet with Commission staff to provide additional technical information on this important subject.

Please contact me at (916) 653-6055 or [Laura.K.Moon@water.ca.gov](mailto:Laura.K.Moon@water.ca.gov) or you may contact Paul A. Marshall at (916) 653-1099 or [Paul.Marshall@water.ca.gov](mailto:Paul.Marshall@water.ca.gov) for additional information.

Sincerely,



for

Laura King Moon  
Chief Deputy Director

#### Attachments

cc: Ms. Maria Rea, Supervisor  
Sacramento Area Office  
National Marine Fisheries Service  
640 Capitol Mall, Suite 8-300  
Sacramento, California 95814-4706

Mr. Charlton H. Bonham, Director  
California Department of Fish and Wildlife  
1416 Ninth Street  
Sacramento, California 95814

Mr. David Murillo, Regional Director  
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Mr. Sonke Mastrup

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Ms. Jennifer Norris, Field Supervisor  
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Sacramento, California 95814

Mr. Scott Wilson, Bay-Delta Regional Manager  
California Department of Fish and Wildlife  
7329 Silverado Trail  
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MAR 24 2011

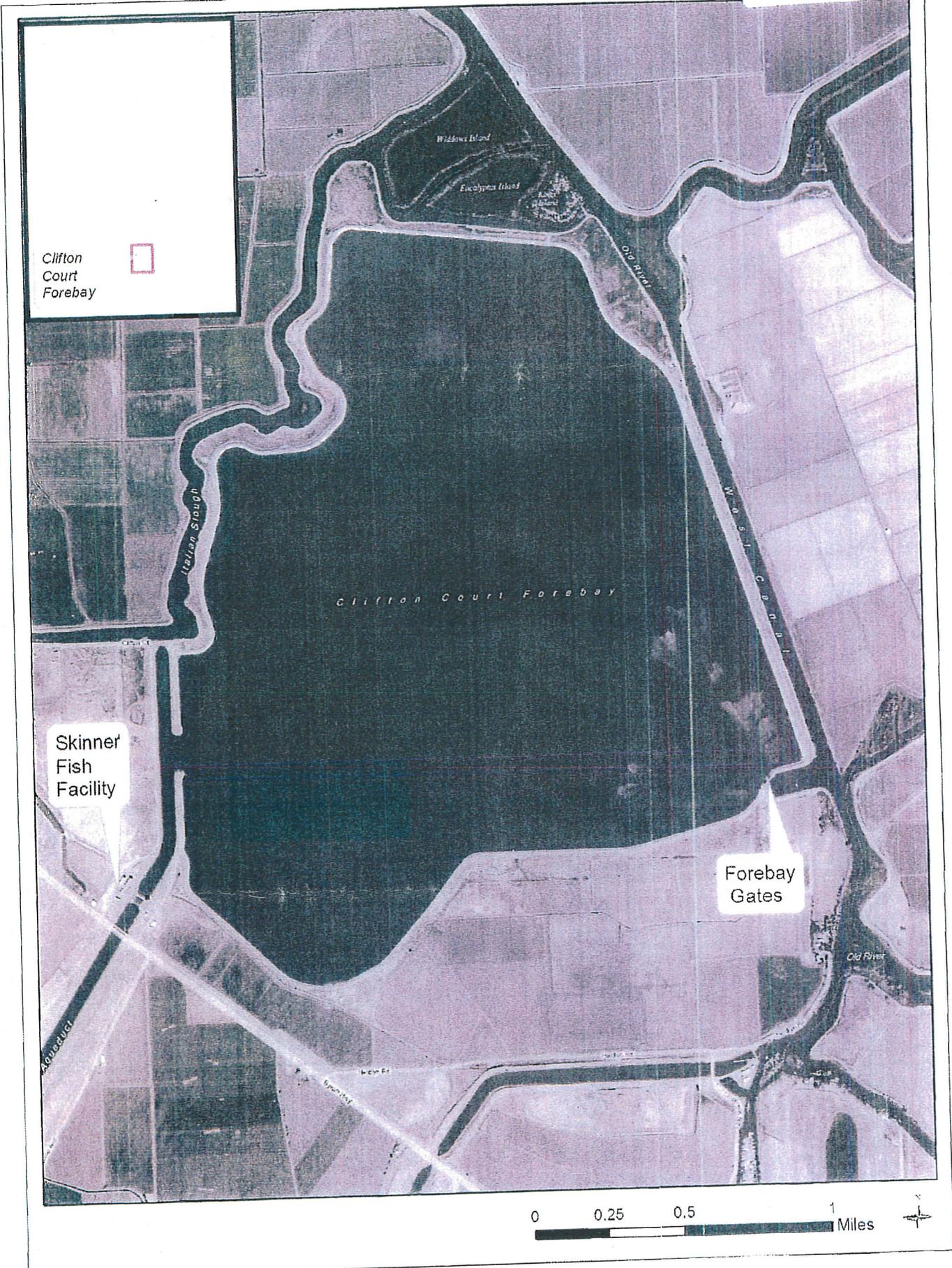
Jon K. Fischer,  
Acting Executive Director  
California Fish and Game Commission  
Post Office Box 944209  
Sacramento, California 94244-2090

Dear Mr. Fischer:

The Department of Water Resources (DWR) requests the Fish and Game Commission (Commission) to consider and approve regulation changes that will allow greater fishing pressure on striped bass in Clifton Court Forebay (Forebay), a facility of the State Water Project (SWP), to reduce predation of native fish species. Specifically, we request the Commission to increase or completely remove the bag limit and modify the size limit for striped bass caught in the Forebay.

Clifton Court Forebay is located in the south Delta adjacent to the SWP Skinner Fish Facility (map attached). Fish enter the Forebay through gates at the divergence of Old River and West Canal. Fish that have travelled across the Forebay and are in water destined for the California Aqueduct are intercepted and collected via a series of screens at the fish facility. They are subsequently trucked and returned to Delta waters at several release sites. Unfortunately, many of the fish in the Forebay are eaten by predators before they can be salvaged at the fish facility. Studies by DWR have determined that only about 20 percent of the fish (juveniles of steelhead, Chinook salmon and striped bass) in the Forebay are salvaged at the fish facility. The remaining 80 percent are lost, primarily to predation, with striped bass being a significant predator.

Central Valley Spring run salmon and Central Valley steelhead are threatened species under the federal Endangered Species Act. In their *Biological Opinion and Conference Opinion on the Long-term Operations of the Central Valley Project and State Water Project* (June 2009), the National Marine Fisheries Service (NMFS) has determined the removal of striped bass from Clifton Court Forebay will be beneficial to the survival of these species. NMFS has directed DWR to implement actions to control predation in the Forebay to reduce the loss of these species. As part of this action, NMFS recommends that DWR "petition the Fish and Game Commission to increase bag limits on striped bass caught in Clifton Court Forebay."



Clifton Court Forebay

Skinner Fish Facility

Forebay Gates



**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



December 6, 2011

Jon K. Fischer,  
Acting Executive Director  
California Fish and Game Commission  
Post Office Box 94409  
Sacramento, California 94244-2090

Dear Mr. Fischer:

The California Department of Fish and Game (DFG) held a public workshop on November 8, 2011 in Rio Vista, California to present and discuss proposed striped bass fishing regulation changes. At this meeting, DFG indicated that their proposal would be submitted to the Fish and Game Commission (Commission) for consideration at their December meeting in San Diego, California. The Department of Water Resources (DWR) requests the Commission consider and approve the regulation changes provided in the DFG proposal. If the Commission finds that not all of the regulation changes submitted in the proposal are reasonable, then we request the Commission approve the proposed regulation changes within Clifton Court Forebay (Forebay), a facility of the State Water Project. This request is consistent with the letter we sent to you on this subject dated March 24, 2011.

Scientific studies conducted by DWR and DFG have shown that native juvenile salmon and steelhead, species protected by the federal and State Endangered Species Acts (ESA), are being lost within the Forebay (pre-screen loss) primarily due to predation by a non-native fish predator, striped bass. In the Interagency Ecological Program technical report *Mark/Recapture Experiments at Clifton Court Forebay to Estimate Pre-Screening Loss to Juvenile Fishes: 1976-1993* (Gingras 1997), the author states "Predation by adult and sub-adult striped bass may account for much of the pre-screen loss. Kano (1990) and Brown et al (1995) described pre-screen loss as synonymous with predation by striped bass." In 2007, DWR conducted a study to quantify the pre-screen loss of Central Valley steelhead within the Forebay. The aforementioned study determined that only about 20 percent of steelhead entering the Forebay successfully makes it to the fish facility where they can be collected and returned to Delta waters. The remaining 80 percent are lost, primarily to predation, with striped bass being one of the significant predators (Clark et al 2009).

Applying the proposed regulation changes within the Forebay will increase the angling pressure on striped bass and will likely result in reduced predation in the Forebay of ESA-protected fish. The National Marine Fisheries Service *Biological Opinion and Conference Opinion on the long-term Operations of the Central Valley Project and State*

*Water Project* (June 2009) directs DWR to reduce predation of salmon and steelhead within the Forebay. This is also a requirement of DFG through their related Consistency Determination. The primary approach being taken by DWR to meet this directive is to increase the angling pressure within the Forebay. Approving the proposed regulation changes to apply to striped bass in the Forebay will greatly help toward this end. We appreciate your consideration of our request during your deliberations on the forthcoming proposal by DFG. DWR staff is available to provide Commission staff relevant technical information if needed.

If you have any questions you may contact me at (916) 653-8045 or Katherine Kelly, Chief, Bay-Delta Office at (916) 653-1099 or email [kkelly@water.ca.gov](mailto:kkelly@water.ca.gov).

Sincerely,

Dale K. Hoffman-Floerke  
Deputy Director

cc: Mr. Charlton H. Bonham, Director  
Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

Mr. Stafford Lehr, Branch Chief  
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Mr. David Gore, Assistant Regional Director  
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2800 Cottage Way, MP-115  
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Mr. Dan Castleberry  
ARD of Water and Fisheries  
Sacramento Fish and Wildlife Office  
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Mr. Terry Erlewine, General Manager  
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