

1072 Juanita Drive
Walnut Creek, Ca 94595

November 11, 2011

Jim Kellogg, President
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

RE: Fish Stocking Regulations

Dear President Kellogg:

I am an Emeritus Certified Fisheries Scientist and spent 25 of my 35 utility district years being administratively responsible for the Mokelumne River Salmon and Steelhead Hatchery that is owned by the East Bay Municipal Utility District (EBMUD) and operated by CDFG. Those years also witnessed the birth of "the Science of the Mokelumne River" and helped EBMUD dispel rumors from environmental groups and scientific speculation about what was or was not happening on the Lower Mokelumne River. This ended when CDFG, USFWS, the Oakridge National Laboratory science panel and FERC approved the Mokelumne River Fisheries Management Plan (based on this state-of-the-art science) that I was proud to be a part of.

I was reminded of those prior decades of mistrust by one group or another concerning the Mokelumne River Hatchery and the runs of anadromous fish and resident fish in the Lower Mokelumne River when I read the Commission's proposed fish stocking regulations. Do you have the science to support making the modifications proposed to the existing fish stocking regulations? From what I have found out I think not. And, even if you do have a right and an obligation to reconsider some of these regulations that affect the private sector fish farming industry do you have the right to make wholesale changes that will drastically modify the lives of private fish culturists and/or reservoir fisheries statewide? I think the answer is a resounding NO.

In my professional view as a fisheries ecologist with 45 years of experience I believe it is a supportable fact that California grows some of the healthiest fish in the world under existing regulations. It is also a fact that California is far more proactive in the aquaculture field than most other states. Therefore, my focus in this letter is -- Where is the scientific basis or the over-riding economic benefit of adding additional and costly revised regulations to private fish farmers in California or to state run hatcheries or to reservoir owners who provide fishing recreation?

Let me point out a factual issue that you need to focus on -- That is the practical impacts of the proposed regulations that will substantially impact agency budgets for purchasing fish for their reservoirs from this regulated industry overseen by your Commission. These impacts would include more costly fish and therefore less fish to plant than what you can purchase with today's

dollar. And, importantly, less fish means less opportunity for anglers of all ages to enjoy adequate catch rates. It is a long-standing fact that these catch rates in reservoirs must be in the range of 0.5 fish per angler hour or the visiting angler will probably NOT return to your facility to fish. These county, city, water district or recreation district's are relying on recreational revenue provided by visiting boaters and anglers which comes from renting boats, buying bait and tackle, purchasing lunch, snacks and drinks and purchasing daily fishing access tickets, etc. These revenues will all be decreased by your proposed regulations and the increased costs that they will force on fish farmers and the owners of recreational lakes and reservoirs. The Commission must consider the impact of these indirect economic impacts to thousands of recreational fisheries in this state. In addition, any reduction in revenues by these agencies or their concessionaires will result in staff reductions over time for all of these entities.

Your regulations, in my view, should be designed to support the agency's that have provided reservoir fisheries and their ability to operate during reasonable days and hours, to maintain their facilities *without deferring maintenance* and to provide revenue for capital improvement or replacement of their recreation facilities. To meet the catch rates necessary the trophy fish stocked and the lion's share of all fish purchased for these reservoir fisheries must come from private fish farms *at reasonable prices*. In addition, the allotment of rainbow trout that many of the major reservoirs in California rely upon for providing a decent catch rate come from CDFG hatcheries. These allotment numbers must be INCREASED, not DECREASED due to some arbitrary implementation of regulations that are not overwhelmingly justified.

And, lastly, to have this proposed action take place based on some special interest group filing a lawsuit that most sportsmen in the state are oblivious to and would not support is a tragedy that you need to do something about prior to final consideration of these regulation modifications.

Sincerely,

Robert C. Nuzum

Certified Fisheries Scientist -- 1979
Certified Fisheries Professional -- 2001
Emeritus Certified Fisheries Scientist -- 2006

CC: The Honorable Governor Edmund Brown Jr. , State Capitol, Sacramento, CA 95814
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