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

April 6, 2010

Jim Kellogg, President
California Fish and Game Commission
1416 Ninth Street
P.O. Box 944209
Sacramento, CA 94244-2090

Dear President Kellogg:

We are writing to urge the Fish and Game Commission take immediate action to address the serious problem of predation by non-native predator species in the Delta by revising the sportfishing regulations that serve to maintain and protect non-native striped bass populations in the Delta.

As you know, the Sacramento-San Joaquin Delta is in a state of crisis. Native fish populations are at record low levels and water deliveries through the Delta have been significantly reduced in an effort to protect delta smelt and salmon species with little discernible benefit. In light of the current state of affairs, it was appalling to read a recent report in the Sacramento Bee describing the failure of the State of California to address a known cause of the decline of the native fish species in the Delta – predation by non-native striped bass and largemouth bass.

The federal and state wildlife agencies have known for years that striped bass prey on delta smelt, juvenile salmon, and steelhead. In the recently released *Draft Recovery Plan for the Evolutionarily Significant Units of Sacramento River winter run Chinook salmon, Central Valley spring run Chinook salmon, and the Distinct Population Segment of Central Valley Steelhead* (2009), the National Marine Fisheries Service (NMFS) identifies predation as a "very high stressor" on salmon and steelhead and recommends a significant reduction of striped bass and other non-native predators to prevent extinction of these species. And, more than a decade ago, the Fish and Wildlife Service (FWS) identified predation as a threat to the recovery of delta smelt in its *Recovery Plan for the Sacramento-San Joaquin Delta Native Fishes* (1996). Biologists at the California Department of Fish and Game estimate that striped bass eat 5 to 50 percent of the juvenile salmon population annually; they have also estimated that striped bass eat 20 percent or more of the delta smelt population annually.

It is apparent that the State of California has known about the predation problem for years and yet has continued to implement programs that serve to protect and maintain these sportfishing populations to the detriment of native fishes, including delta smelt, salmon, and steelhead. There is a conflict between the Department of Fish and Game's responsibility to protect listed species and its maintenance of sportfishing programs that result in a substantial revenue stream to the Department. To date, this conflict has been resolved in favor of the non-

native striped bass and largemouth bass populations within the Delta to the detriment of the listed species. California's striped bass sport-fishing regulations include size and catch restrictions to maintain an artificially high striped bass population, and the Department of Fish and Game expends significant resources – including thousands of hours of staff time – enforcing these restrictions. This has occurred at the same time that Delta water supplies for millions of agricultural and urban users throughout the State have been significantly curtailed to protect delta smelt and salmon.

Predation by non-native bass in the Delta and the Sacramento and San Joaquin Rivers is a known cause of the decline of the native fish populations. It is an issue that can and should be addressed. We understand that the Fish and Game Commission is currently considering revising the sportfishing regulations that serve to maintain and protect the striped bass population in the Delta. We fully support those efforts and urge the State to take swift and comprehensive action to address the serious predation problem in the Delta. Therefore, we urge the State of California, through the Fish and Game Commission and the Department of Fish and Game, to take immediate action to suspend enforcement of the sportfishing regulations that serve to protect non-native striped bass and largemouth bass species and take additional immediate action to reduce the populations of non-native striped bass and largemouth bass within the Delta.

Sincerely,

Dennis Cardoza | Jim Costa | George Radanovich

cc: Lester Snow, Director, California Natural Resources Agency
John McCamman, Director, Department of Fish and Game
Richard B. Rogers, Vice President, California Fish and Game Commissioner
Michael Sutton, California Fish and Game Commissioner
Daniel W. Richards, California Fish and Game Commissioner
Donald Benninghoven, California Fish and Game Commissioner
Eric Schwaab, Assistant Administrator, National Marine Fisheries Service
Rowan Gould, Acting Director, United States Fish and Wildlife Service
Gary Locke, Secretary of Commerce
Dr. Jane Lubchenco, Under Secretary of Commerce for Oceans & Atmosphere & Administrator
Ken Salazar, Secretary of the Interior
Assemblymember John Pérez, Speaker of the Assembly
Senator Darrell Steinberg, Senate President Pro Tem
Assemblymember Martin Garrick, Assembly Minority Leader
Senator Dennis Hollingsworth, Senate Minority Leader