

**STOCKTON EAST WATER DISTRICT:
Fishing advocate says water district retaliating against
scientist**

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By Dana Nichols, staff writer**

STOCKTON - A biologist who reported the December deaths of hundreds of stranded salmon below a small dam operated by Stockton East Water District was ordered soon after by district officials to turn in the keys that gave him access to the river.

Now, a sport fishing advocate says the district was retaliating against the scientist for providing information to authorities.

The scientist, Trevor Kennedy of the Fishery Foundation, declined to discuss the matter in detail, saying he did not want to foster poor relations with the water district. Foundation scientists are still under a federal contract to study salmon and steelhead and to help ensure the survival of those species on the Calaveras River.

But Kennedy acknowledged that Stockton East Water District ordered him to turn in his keys shortly after he reported the salmon stranding and other problems with the district's management of the river.

"I noted a couple of pretty major water quality violations and reported them to (the California Department of Fish and Game), which is what I am supposed to do," Kennedy said.

District officials said that they asked a number of people to turn in keys to district facilities in order to comply with federal homeland security laws intended to protect drinking water supplies from terrorist attack. But district General Manager Kevin Kauffman said that some biologists - those under contract to Stockton East Water District rather than the federal government - still have unfettered access to district facilities.

"We have direct authority because we are the client." Kauffman said of scientists working for SP Cramer and Associates. "They are only looking into the things we've asked them to look into. But, of course, they are scientists. They do the same thing (Kennedy) does - when they see something, they let us know about it. It is just that they let us know about it

rather than letting other agencies know about it."

John Raine, a member of the Calaveras River Steering Committee and several sport fishing advocacy groups, said the different treatment of SP Cramer scientists and Fishery Foundation scientists amounts to retaliation.

"It is an absolute outrageous act because they are interfering with the work being done by a private company under a CALFED contract," Raine said. CALFED is a program under which a number of state and federal agencies are seeking to restore the Delta and its tributaries.

Stockton East Water District manages the Calaveras River below New Hogan Dam. The district supplies drinking water to Stockton and takes that water from the river at Bellota. The Bellota Weir is a low dam that makes a pool where the district can take water, but the dam also is a big obstacle to salmon and steelhead trying to move up river to spawn.

The water district is cooperating with state and federal officials to craft a habitat conservation plan for the river's steelhead, which are listed as threatened with extinction under the federal Endangered Species Act. Fishing groups, state and federal authorities and environmentalists also hope to help chinook salmon, which attempt to spawn in the river during years with heavy water flows.

In the past year, Stockton East Water District has found itself fending off investigations by state water pollution authorities of New Hogan Dam operations and threats of lawsuits from environmental groups over the recent fish strandings.

Given the rising tension, Kennedy said he chose to bow out gracefully and reassign the Fishery Foundation work on the river to biologist Kari Burr.

Burr said she now checks in at Stockton East Water District headquarters whenever she needs to access the area around the Bellota Weir to do her work.

"It did happen in a way that was awfully sudden. We had to scrape up all our keys and turn them in," Burr said. "It creates a different work environment. But all the people on the ground are really cooperative."

She said the water district is now working to repair a fish ladder that was swept away and severely damaged during last winter's heavy flows. The ladder needs to be back in place by this fall to allow fish to migrate up river over Bellota Weir.

Kauffman said it will cost \$20,000 to \$40,000 to fix the ladder, although he hopes to get a federal grant to cover part of the cost.

Paul Sanguinetti, president of the Stockton East Water District board of directors, said he is not aware of any bad blood between the district and Kennedy. But he is keenly aware that the district has to comply with new federal anti-terrorism laws.

"We've taken all the keys away because we can't have people just going up there any time they feel like it," Sanguinetti said. #

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