

## Complaint filed over river water

*Published: December 12, 2005*

By CHRIS NICHOLS

Four conservation groups have asked the state to investigate alleged misuse of the Calaveras River by the Calaveras County and Stockton East water districts.

The groups claim CCWD and Stockton East have blocked the passage of salmon and endangered steelhead trout on the river by releasing too little water from New Hogan Reservoir.

"Calaveras County Water District and Stockton East are going to have to learn to share the water with the fish," said Bill Jennings, executive director of the California Sportfishing Protection Alliance, which spearheaded the complaint.

"They can't take all the water."

The other conservation groups are the San Joaquin Audubon Society, the Committee to Save the Mokelumne and the Watershed Enforcers. Along with Jennings' group, they filed their complaint with the California Water Resources Control Board on Dec. 1.

Hundreds of salmon and steelhead return from the Pacific Ocean to the Calaveras River each year, but many cannot reach their spawning grounds because too little water flows down the river, Jennings said.

Thousands of fish have been stranded and died or sucked into irrigation pipes ending up as "fertilizer for farmers' fields," he said.

Larry Diamond, CCWD's interim general manager, said he was surprised by complaint. He said his district has offered to sell water from New Hogan to several conservation groups to improve fish habitat on the river.

Diamond added that CCWD has "no obligation" to improve the environment for fish, as the district's sole duties are to provide water for homes, businesses and a few farmers.

CCWD has little control over the flow of water on the Calaveras River, as Stockton East owns the majority of water rights for New Hogan, he added.

Jennings acknowledged that CCWD, like many of the fish on the river, is trapped between other, larger forces.

"We certainly understand that CCWD is a victim in this game," he said.

Kevin Kauffman, general manager for Stockton East, said he was also surprised to learn of the complaint.

Like CCWD, Kauffman said his district is not required to improve the salmon or steelhead runs. But he noted Stockton East has voluntarily spent about \$500,000 trying to make improvements for the fish.

To help keep fish from being sucked into the district's Bellota intake pipe, Kauffman said, Stockton East on Monday put a screen on that pipe, a spot that hadn't had a screen for "a number of years."

The district, working with state and federal conservation groups, also replaced an old wooden fish ladder on the river in 2000, and another in 2002, he said. The new steel ladders are designed to help fish as they travel up the river.

Kauffman said Stockton East has worked to increase water flow on the river, but it cannot increase the flow to the levels Jennings and others have asked for without compromising service to the many homes, businesses and farms in the Stockton area.

Jennings said he hopes to work "amicably" with the districts. The state water board has 270 days to act on the complaint.

Jennings noted a lawsuit could be filed if the fish are not better accommodated after that time.

Contact Chris Nichols at [cnichols@uniondemocrat.com](mailto:cnichols@uniondemocrat.com) or 588-4585