



## PRESS RELEASE

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### **Coalition for a Sustainable Delta Initiates Legal Action On Striped Bass Sports Fishing Regulations** *State Department of Fish and Game Put On Notice Regarding Clear Violations of Federal Endangered Species Act*

**SACRAMENTO, CA** – The [Coalition for a Sustainable Delta](#) today filed a Notice of Intent to sue the California Fish and Game Commission (CFG) and the California Department of Fish and Game (CDFG) for violating the federal Endangered Species Act (ESA). State sport fishing regulations protect the non-native striped bass, a known predator of several native endangered and threatened species including the Delta smelt.

“It is extremely counter productive for the state to implement programs that protect a known predator of federally protected threatened and endangered species at a time when federal courts are ordering significant cutbacks in water pumping operations to protect the same species,” said Michael Boccadoro, spokesperson for the [Coalition for a Sustainable Delta](#). “It not only doesn’t make sense, it clearly violates federal law.”

The non-native striped bass is widely recognized as a voracious predator and likes to feast on some of the most endangered native species in the Delta. The striped bass was introduced into the Delta region in the late 19<sup>th</sup> Century. Its population has fluctuated from a low of approximately 600,000 to a high of three million.

In the early 1980’s the sports fishing industry successfully lobbied the State of California to enact legislation that created a striped bass fishing stamp. CDFG used the money raised by the stamp to support the striped bass population in the Delta. Even after the striped bass fishing stamp legislation expired, funds were expended to raise striped bass in hatcheries. The hatchery program run by the state added more than 5.5 million striped bass to the Delta over the life of the restocking program.

The funds were also used to develop the [Striped Bass Restoration and Management Plan](#). Consistent with the plan and CFG policy, the Department continues to enforce “size” and “bag” limits for striped bass fishing in the state. Fishermen are limited to two fish and each fish must be at least 18 inches in length. The “bag” and “size” limits are designed to further the commission’s official striped bass restoration goal of three million fish. These regulations, however, effectively foster the demise of tens of thousands of native Delta fish that are protected under the ESA.

Four species of fish are primarily affected. They are the Sacramento River winter-run Chinook salmon, the Central Valley spring-run Chinook salmon, the Central Valley steelhead, and the Delta smelt. While the salmon and the steelhead spend most of their lives in the ocean, they return to the Delta to spawn.

Unfortunately, the Delta smelt and other endangered fish provide a readily available food supply for the striped bass. The CDFG itself estimates that each year up to six percent of the population of these endangered species are consumed by the striped bass – a fish that is not supposed to be in the Delta in the first place. Two federal agencies have also acknowledged the problem. In its 2007 Recovery Outline, the National Marine Fisheries Service (NMFS) considers the striped bass as a threat to the salmon and steelhead. And the U.S. Fish and Wildlife Service (USFWS) is on record stating, “It is quite possible that at low population levels interactions with [striped bass] could prevent recovery (of the Delta Smelt).”

“It is unconscionable that state agencies are continuing to implement programs that in effect are defeating concerted efforts to protect the estuary and the native fisheries. This systematic destruction of thousands of native fish in the Delta is a clear violation of the Endangered Species Act,” said Boccadoro. “State agencies cannot acknowledge a fisheries crisis in the Delta and then knowingly take steps that are clearly making it worse.”

This latest legal action follows on a similar notice provided to Mirant Delta LLC in September in connection with their operation of the Pittsburg and Contra Costa Power Plants. Unless these illegal actions cease, the [Coalition for a Sustainable Delta](http://www.sustainabledelta.com) intends to file the appropriate complaints in federal court.

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**For more information, visit [www.sustainabledelta.com](http://www.sustainabledelta.com)**

*The Coalition for a Sustainable Delta is an ad hoc group of water users who depend on the delta for a large portion of their water supplies. The Coalition is dedicated to protecting the delta and is committed to promoting a strategy to ensure its sustainability.*

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