

# QUAIL H FARMS, LLC

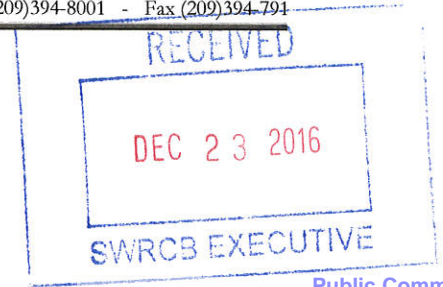


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December 20, 2016

Chairwoman Felicia Marcus  
California State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



Public Comment  
2016 Bay-Delta Plan Amendment & SED  
Deadline: 3/17/17 12:00 noon

**Re: Bay Delta WQCP SED Comments, Merced River**



Dear Ms. Marcus:

I am writing this letter to first and foremost express my support of the Merced Irrigation District's S.A.F.E. Plan and express my extreme adverse position to the Board's SED plan. While I feel that there are numerous reasons why the SED plan is destined for failure, constitutes nothing other than a political ploy to grab water for coastal communities and back fill for Gov. Jerry Brown's twin tunnel concept and is based on tainted and incomplete research, I will not elaborate on these, at least at this point and in this writing. This letter is instead intended to point out an important point which I feel all parties have failed to consider but which I feel the M.I.D, still has the ability to incorporate into its plan. The SED plan however in no way considers this point nor does it present any potential to explore it further.

My name is Jack Smith and I am a landowner and farmer in Merced County. I am also an avid outdoorsman, conservationist, wildlife

enthusiast, hunter, fisherman, and student of animal husbandry, and I would venture to guess that, as a kid growing up in East Texas, I raised more wildlife for eventual release into the wild and rescued more wildlife from injury or harm than has your entire Board, staff and panel members combined. The simple reason is because I care deeply about the environment, the wildlife and the fisheries. However, I am also a logical person and I value the contribution of farmers like myself to the food supply of our nation and the world. I am not approaching this issue from a one-sided, unilateral viewpoint, but rather as a rational decision maker.

In addition to the bio above, I am also the owner of land on both sides of the largest slow-moving section of upper Merced River. This section resulted years ago from the well-known dredging of the river, which was as I am told performed by a company under a government contract which went bankrupt and never put the lands along the river back into their original condition. Apparently the government was too short-sighted and incompetent to have the dredging contractor post a bond for the cleanup, but this is merely one of thousands of very poor decisions made throughout the years by governments who work only with "other people's money" and who have absolutely zero accountability. I attended the Merced meeting on December 19, 2016, and sat in the gallery to listen and learn, since I wanted to understand from where the SED plan originated. I must say I was appalled at the complete waste of resources that have been spent to come up with presentation made by the panel regarding the salmon "salvation". It is common knowledge that the conclusions reached were done so with such an utter lack of consideration of a multitude of other dynamics that the

recommendations of the panel should be tossed out with the morning garbage. That is, unless it is ALL you have on which to hang your hat in order to, as mentioned at the outset of this writing, disguise the SED plan as a governmental water grab for the coastal bay area. However, I digress, so I will get back to my point.

The panel focused predominantly on water temperature as the reason for desiring more flow down the Merced River, insinuating that only more flow will drop the temperature to a point where the salmon will certainly thrive. The panel is convinced that this alone will increase the salmon numbers, albeit as we all know, by such an insignificant count that it is ludicrous to spend additional resources on such a nonsensical project. However, in order to, for a moment, humor the panel by focusing on its "benchmark" discovery about water temperatures, I would like to point out something that the panel of "experts" may have overlooked.

As I mentioned I own land on both sides of the Merced River at its widest and slowest moving point within the area from the "spawning grounds" to at least 15-20 miles downstream, and likely a lot further (I have only reviewed this from Google Earth and not spent an inordinate amount of time measuring exactly). My property is approximately 12 miles as a crow flies downstream from Merced Falls, immediately west of Highway 59. Decades ago this area of the river was dredged into a lake-like section of approximately 25 surface acres and at the time it was somewhat deep in water depth. I have been told that the water depth was in the 10-20 feet deep range, although I do not purport to know for certain. What I do know for certain is that this section of the

river is now wrought with an aquatic sub-surface weed that resembles "coon-tail moss". See the photo of coon-tail moss below:



Virtually the entire 25 acres has this plant growing from the bottom to within an average of about 12"-18" of the surface. It is dark green, if not black in color, and, as any scientist will tell you, that absorbs an enormous amount of sunlight and heat energy at that shallow depth (12"-18" below the surface). As a result of the weeds and resulting organic matter, the water is substantially more turbid than the inflowing clear water, and that too causes the water to absorb more sunlight and heat energy. All this points to the highly probable conclusion that the overgrowth of these aquatic sub-surface weeds (not the water hyacinth which is an entirely different subject and something that should be also considered separately) is contributing heavily to the increase in water temperatures on the river downstream from this pond/lake. Unlike many of the upstream ponds adjacent to the river which may or may not experience a minimal amount of water exchange with the river, my area receives the river flow directly, and is in fact, the actual river. Control of these weeds is simple, inexpensive, and is a FAR more logical and reasonable first step in trying to improve the habitat of the salmon and

reduce the habitat of the predatory bass, and is a seemingly massive oversight by the "experts". While I am not an expert on largemouth bass, I did grow up in Texas, a largemouth mecca, and my father was a professional bass fishing guide on Toledo Bend reservoir between Texas and Louisiana, so I do know more than the average person about the fish. Clear open water is not nearly as conducive to largemouth thriving as vegetative, semi-turbid waters. It simply seems like a no-brainer to invest the minimal dollars in weed control to increase the effective water depth and clarity, and thereby lower the water temperature, in order to make steps in the direction of assisting the salmon. To be sure however, we all know that they may not respond at all to the changing temperatures, and, to restate the obvious, most certainly will not respond in numbers sufficient to ever warrant reducing the water available to the farm community in the volumes proposed. I am again merely humoring the "experts" on their water temperature concept.

Water can hold large amounts of heat with a relatively small change in temperature. This heat capacity has far reaching implications. It permits a body of water to act as a buffer against wide fluctuations in temperature. The larger the body of water, the slower the rate of temperature change. **Furthermore, aquatic organisms take on the temperature of their environment and cannot tolerate rapid changes in temperature.**<sup>1</sup> It is again highly probable that in the late summer and early fall months when air temperatures are extremely high, that if and when salmon fry move down the cool river and empty into my 25 acre lake section that is infested with weeds which are

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<sup>1</sup> A Fish Farmer's Guide to Understanding Water Quality, <https://www.extension.purdue.edu/extmedia/as/as-503.html>

shallow to the surface, and which is certainly significantly warmer than it would be if the weeds were controlled and the full water depth achieved, they could experience a shock that could be fatal. A simple aquacide application test could answer a lot of questions, yet the SED plan gives no consideration to such a simple "assist", if not a "fix". The MID S.A.F.E. plan can easily and inexpensively incorporate this simple procedure that just may prove to be a huge success, but in any event can ONLY provide positive benefits regardless of the magnitude. There is no downside risk as long as the proper safe aquacides are used.

In conclusion, notwithstanding that I personally feel that the commercial, economic and natural benefits of a limited increase in king salmon (*it is only called a chinook if you are in Canada by the way... otherwise it is referred to as a king salmon*) do not even register in comparison to the local, regional, statewide and national benefits of the farming production that will be lost under the SED plan, I think the Board has failed to consider far too many other factors in its attempt to "save the salmon", however few that may be. I use the term "few" as opposed to "many" since regardless of whether the Board stands by the models used which conclude only a 1,100 salmon increase, the fact is that it is not a commercially significant number under any circumstances. In fact this river system never was significant, relative to the salmon's overall species habitat. The far northwest is salmon fishing grounds for a reason, that being that it is far more conducive to salmon life cycles. Granted the king salmon migrate up the Merced River, but this river is the documented southern-most river in the United States up which they migrate, and the fact that it lies on these fringes of acceptable salmon territory alone indicates that it is not prime habitat. Farming feeds




people, Merced River salmon do not. Farming is proven, the SED plan is not. The S.A.F.E. plan is as viable an option as is logical for the salmon, the SED plan is a political ploy disguised as a salmon concern. Federal authorities finally stepped in and realized that the Delta smelt issue was completely absurd, they should do the same here. The king salmon is not facing extinction and it is absurd when that inaccuracy is thrown around by those arguing in favor of the SED plan. The salmon have chosen to go elsewhere to thrive, and you are cheating yourselves if you think you are more qualified to make that decision than the salmon themselves. I could go on for hours about failed attempts by government and environmentalists to interfere in nature's path, and the resources wasted in the process, but that is unnecessary. Please be logical, and ask yourself, "if this was MY MONEY, would I be willing to spend it all on the SED plan for a chance at increasing salmon numbers by a mere few"? The answer is likely no, so please do not spend any more of the taxpayers' money on an ill-fated science project the likes of which all seem to fail. You will be held accountable.

Sincerely,

**Jack E. Smith**

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