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11.203.02

August 8, 2017

Hearing Chair Tam Doduc  
Hearing Officer Felicia Marcus  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

**Re: Adoption of “Appropriate Delta Flow Criteria” Required Under  
Water Code Section 85086(c)(2) and Compliance with the  
Administrative Procedure Act, Government Code Section 11340 et seq.**

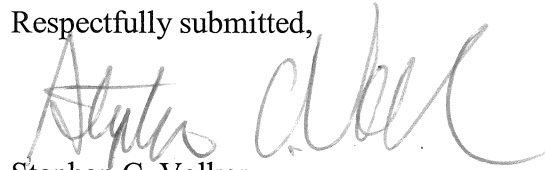
Dear Hearing Chair Doduc and Hearing Officer Marcus,

The Pacific Coast Federation of Fishermen’s Associations (“PCFFA”) and Institute for Fisheries Resources (“IFR”) are in receipt of the correspondence of August 4, 2017 from California Water Research through its Principal, Deirdre Des Jardins, requesting that the Hearing Officers recognize that: (1) the Delta Reform Act, Water Code section 85086(c)(2), requires this Board to adopt “appropriate Delta flow criteria” before it may determine the California WaterFix Change Petition, (2) promulgation of these required Delta flow criteria is a quasi-legislative function subject to the Administrative Procedure Act (“APA”), Government Code section 11340 et seq., and (3) consequently this Board must hold a pre-hearing conference prior to Part 2 of this proceeding to address, identify, and assure compliance with the requirements of the APA as necessary to lawful promulgation of these required flow criteria.

PCFFA and IFR join in California Water Research’s request. This request is both prudent to assure the timely and efficient management of this proceeding, and clearly consistent with the requirements of law.

For these reasons, California Water Research’s request should be granted.

Respectfully submitted,



Stephan C. Volker  
Attorney for the Pacific Coast Federation of Fishermen’s  
Associations and Institute for Fisheries Resources

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