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**BEFORE THE
CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

HEARING IN THE MATTER OF
CALIFORNIA DEPARTMENT OF
WATER RESOURCES AND UNITED
STATES BUREAU OF RECLAMATION
REQUEST FOR A CHANGE IN POINT
OF DIVERSION FOR CALIFORNIA
WATER FIX

TESTIMONY OF DAVID E. HURLEY

I Dave Hurley do hereby declare:

I am a freelance outdoor writer for the USAfishing.com Hot Sheet, the Fresno Bee, and both Western Outdoor News and the Fishsniffer Magazine. I am also the great-grandson of Guiseppe Busalacchi, a native of Sicily, who was a partner in P. Busalacchi and Brothers Fish Market in Stockton from 1917 until 1964 and fished commercially in the Delta until 1958. My association and appreciation of the San Francisco Bay/Delta has been instilled from a young age through many conversations and fishing trips into the Delta with my grandfather, Frank Busalacchi.

The Busalacchi family ran a commercial salmon tender in the Delta, and my grandfather ran the boat on a regular basis to bring deliveries of salmon to the canneries in Pittsburg. I listened to many stories of his days on the Delta, and he described their 50-

foot launch so filled with salmon on the way to the cannery that they were taking water over the gunnels. He also described the end of the commercial salmon fishery in 1958, and he attributed to demise of the salmon run to the building of the Friant Dam on the San Joaquin River earlier that decade. He described water so clear in some parts of the Delta that you could see down 20 feet. At the end of his life in 1989, he would say, "It's not the same, I think I have seen the best of it," referring to the Delta and its fishery.

I am a lifelong native of Stockton, California and have witnessed the rapid decline of the Delta fishery within my short life span of 61 years. **Based upon a lifetime in the Delta estuary, I strongly believe that WaterFix's plan to divert additional millions of acre-feet of Sacramento River freshwater around the Delta will lead to the termination of the last remnants of the Delta including pushing fish species over the edge towards extinction.**

Since February 2005 to the present time, I have written more than 2000 fishing reports on the San Francisco Bay/Delta region via a thrice-weekly report on USAfishing.com. Within this time period, I have been witness to the closure of numerous bait and tackle shops in the Bay/Delta region due to the decreasing numbers of fishermen and the opportunity for catching game fish. Participation in derbies for sturgeon and striped bass in the Bay/Delta has decreased, and the trend of target-length and catch-and-release derbies has increased, as fishermen are concerned about the sustainability of the species of sturgeon and striped bass.

Dockside Bait in Pittsburg, C Biscuits in Vallejo, Ly's Fishing Goods in San Jose, Leonard's Bait at Port Sonoma, and Oyster Point Bait and Tackle in South San

Francisco are a few of the bait shops that have shuttered their doors within the past 10 years, and these shops have not reopened. Several other bait shops are on life support, hanging on by a thread of keeping their doors open in spite of declining business. The Delta Sportsman on Bethel Island has been converted from a bait and tackle shop to a hardware store with a limited amount of tackle.

At the present time, I am not aware of any fishing guides in the Delta, other than fly-fishing guides who serve an elite clientele, operating as their primary business. Even guides for largemouth bass such as Randy Pringle, the Fishing Instructor, must fill out his season with trips to the Mother Lode lakes. In the past 12 years, full-time Delta guides such as Jay Sorensen, Barry Canevaro, and Tim O'Shea have either retired or diversified to additional fisheries. There are several guides who spent part of their seasons in the Delta for striped bass or sturgeon, but they must either head to the San Francisco Bay and ocean or the upper Sacramento River and lakes in order to remain a viable business.

In addition to the loss of bait and tackle shops, marinas in the Delta are also becoming an endangered species due to many factors including siltation of their channels and in the slip areas as well as inundation of vegetation such as water hyacinth. The problem of water hyacinth in the south Delta marinas has been well documented, and downtown Stockton routinely resembles a carpet of green during the late winter and spring months. Entire marinas in the south Delta have become unusable due to water hyacinth, and large ocean-going vessels have had to limit their travel into the Port of Stockton to daylight hours due to the water hyacinth mats confusing their radar screens. The excessive vegetation has also affected the ability to fish in several areas of the south

Delta. The mouth of Indian Slough and the Old River was known as 'The Hog Pen,' due to the number of large striped bass found in the location, but it is basically unfishable due to the growth of submerged vegetation.

As a college student, I worked as a deliveryman for the Arctic Ice Company in Stockton. We had a specific route for the Delta islands, and I personally carried thousands of pounds of ice on a routine basis to Delta marinas and businesses that no longer exist. Herman and Helen's Marina west of Stockton off of Eight Mile Road was a staple of the central Delta along Uncle Bobby's Marina. Both businesses have been closed, and several other marinas are experiencing declining business and empty berths.

My life span has been long enough to hear stories from my grandfather and his brothers of the status of the striped bass and sturgeon fishery from the early 1900's to their passing during the 1990's. I have also had the opportunity to spend numerous hours on the water with Jay Sorensen, a resident of Stockton, who was a full-time guide on the Delta for over 40 years, often spending over 300 days per year on the water. I recently spoke with my cousin Mario Busalacchi Jr., the final living link to the Busalacchi Bros. Fish Company, and he reminded me of the decline of the white catfish in the Delta along with the striped bass. During all of the fishing trips with my grandfather and his brothers during my youth, I can only remember one time when we did not return with three limits of white catfish (60 fish). Although I don't currently fish for catfish, my cousin Mario Jr. stated that the whiskerfish are no longer present around our normal fishing grounds around Mandeville Island.

The above sources relate stories of routine limits of striped bass in excess of 20

pounds as a normal occurrence while a 10-pound striper is a trophy fish by today's standards. The numbers of huge striped bass have declined precipitously, even within the past few years, and although the occasional trophy is landed, it is a rare occurrence when a 40- or 50-pound striped bass is caught. Sorensen tells stories of the numbers of spawning females in the San Joaquin River system near the mouth of the Mokelumne River being so abundant that 'you could hear the females slapping the surface at night and smell the milt from the males. Often times when I netted a big female striper, two males jumped in the net from following the female.' Due to the decline of the striped bass spawning in the San Joaquin River in the early 1970's, Sorensen organized the first chapter of the California Striped Bass Association in Stockton, California. Despite their efforts, the decline of the striped bass continues.

As a young man, I have memories of the shad nets used for bumping American shad on the San Joaquin River, and my great-uncle, Joseph, 'Jo-Jo', Busalacchi along with his brother Mario and Mario Jr., would bring home loads of shad for the smoker. There hasn't been a viable American shad run in the San Joaquin River for decades.

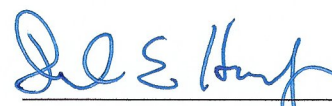
The Delta is a unique and remarkable place. As Jay Sorensen has stated, "This is my Sistine Chapel, there are no two sunsets alike out here on the Delta.' His reverence for this special place is shared by many, and to be able to share the feeling of watching the sun rise and the fog lift off of the water in the San Joaquin River, to hear the massive flocks of ducks, geese, and sandhill cranes fly overhead in the fog, or listen to the coyotes howl off of Decker Island at night are experiences that should be preserved for generations. To sit on the anchor and have long conversations with others while fishing

with the legitimate opportunity to catch a 'the fish of a lifetime' is another experience to be preserved.

Although it has been over 50 years, I distinctly remember as if it was yesterday the foggy morning when I saw my first river otter. We were traveling west on the main channel of the San Joaquin with my grandfather and great-uncle Nino when the fog lifted slightly off of the surface of the river and the sun peeked through from behind us. To my left, emerging out of the foggy river was an otter. The memory of my amazement has lasted a lifetime.

There is no doubt in my mind based upon my observations within my lifetime and the actual hands-on experience of writing fishing reports within the past 12.5 years, that the Delta experience is in danger of extinction. WaterFix's plans to divert Sacramento River freshwater around the South Delta where the flows have already been constricted will further the man-made damage that has occurred within the past 100 years. It all depends upon whether we want to be known as the generation that drove the final nail into the coffin of the greatest estuary on the west coast of North and South America for short-term profits for a few already-wealthy individuals and corporations. I, for one, don't want any part of this legacy.

Executed on this 28th day of November 2017 in Stockton, California.



Dave Edward Hurley