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 WATERFIX

TESTIMONY OF XUILY LO
1. I am an adult over the age of eighteen. I have personal knowledge of all the facts contained in this declaration, except those stated on information and belief. As to those statements based on information and belief, I believe them to be true. If called to testify, I would and could completely and truthfully testify as to the statements contained herein.

2. My name is Xuily Lo, and this is my personal testimony on why I disapprove of Governor Brown’s Delta tunnels project.

3. First, I would like to begin with a brief background of myself and who I am. I was born and raised in the northern part of Stockton, California in late 1980s. My parents came to America as refugees at the closure of the so-called “Secret War in Laos,” which most Americans relate to on a bigger picture as the Vietnam War. As I am writing this, I am proud to continue to call Stockton my home, which I have grown to love even more over the years, despite the news media’s efforts to highlight it as one of the most dangerous and least desirable cities to live in.

4. As a second generation Asian American growing up near the Delta waters in Stockton, and having parents who also lived near and thrived on the middle stretch of the famous Mekong River in Laos, I understand the great value and importance of what our river system brings to the people who share its wonderful benefits. My parents would sometimes share stories of when they were still living in the foothills of Laos and how significant the Mekong River was to their survival. They talk about memorable fishing experiences where they would catch or trap different species of fish, as it was one of their primary sources of food. Shortly after they arrived in America and settled in Stockton, I was born. When I became old enough to hold a rod and reel, my father introduced me to the excellent fishing that the California Delta had to offer. This year marks my 23rd consecutive year that I have utilized either the San Joaquin or Sacramento Rivers for personal recreation enjoyment.

5. As with most recreational anglers, I started off fishing from the shore and piers and off the banks. After graduating from college and saving enough money, I was able to purchase a fishing vessel which I would use primarily for the Delta. My fishing takes place with friends and families both within my own Asian community and out of my network. In addition, I also take
frequent trips with licensed professional guide anglers to enhance my fishing skills and knowledge of the river system.

6. While most of my fishing occurs within the lower stretch of Sacramento and San Joaquin Rivers starting from the Rio Vista Bridge on Highway 12 and continuing west towards the City of Pittsburg, I also spend time in different parts of the water as well. Other specific water locations on both the Sacramento and San Joaquin Rivers where I also concentrate my fishing efforts include the Sacramento Deep Water Channel, Cache Slough, Prospect Slough, Miner Slough, Steamboat Slough, Georgiana Slough, Three-Mile Slough, and Dutch Slough. These water locations are what I called the “fishing grounds” where fish species like sturgeon, salmon, striped bass, and catfish are brought home to the dinner table.

7. As mentioned above, the main targeted fish species that I seek after include but are not limited to striped bass, sturgeon, salmon, and catfish. Each of these species mentioned has its own unique spawning times throughout the year where fishing is at its peak, but the spring months from March to May and fall months of September to November are typically when I tend to invest most of my time on the water. During this particular time where the fish are returning from the ocean to spawn, my friends and I can average about 1-3 times a week being out on the water. The winter months from December to February are usually slower when it comes to catching the fish species as listed above. Most fish species have either completed their spawning process or are already back in the ocean. In addition, with the water temperature taking a big dive, most fishes left in the river system tend to be more lethargic, making it difficult for the average fisherman to catch with a rod and reel. Despite the odds being stacked against fishing during this particular period, I do find myself spending at least twice a month out on the river during these months fishing mainly for the prehistoric white sturgeon.

8. I believe the fishing areas that I have described above, which include both the Sacramento and San Joaquin Rivers, are highly productive areas for fishing these particular species because they have different water depths, a limitless variety of fishing structures and underwater vegetation, which various species can utilize to their own advantage, as well as having an abundant amount of food that these predatory fishes can obtain with very little effort.
9. In terms of consuming these fish species as a food source, that depends on the season or month the fish was actually caught. Typically, as a personal rule of thumb, I would not bring home any fish from the Delta during the hot summer months due to the amount of mercury build-up and worms found in these fishes, which in turn greatly reduces the quality and taste of the meat when cooked. Based on my experience, the best time to bring home fish is during the spawning seasons that occur in the spring and fall as mentioned earlier. These are the times that I usually bring home fish to cook for the family and to share with friends.

10. In the past several years, I have noticed that the fish species we are able to catch from the Delta have changed. Several of these fish species, particularly the striped bass, have become thinner; it seems like they aren’t getting enough food to eat. My network of fishing partners and I have yet to find a true and accurate explanation as to why the weight and sizes of these fishes have declined over the years.

11. In addition to these changes, the ability to locate and catch these fish species with a rod and reel has become increasingly challenging. For instance, in 2013 my network of fishing buddies and I, along with other local anglers, experienced one of the best delta salmon fishing in years. The section of the Sacramento River that stretches from the city of Rio Vista west towards the Antioch Bridge on Highway 160 was literally a fishing hot spot for boat anglers targeting the Chinook salmon. Since then, it has never been the same. Both my friends and outside network came to the conclusion that the water temperature was the main factor why the Chinook salmon was not being caught in the area described above. Although we did not have any data or evidence to support this claim, it was obvious that the water temperature during the fall of 2014 and 2015 seasons was much higher than the previous 2013 year. With the increase in water temperature, salmon usually tend not to stick around and are always searching for the cooler flowing water near the upper stretches of the river arm.

12. Typically after a successful fishing trip, there is a get-together that follows with friends, family, and local anglers. The different fish species that are caught from the fishing trip are then prepared and served without any part of the fish going to waste. Depending on the type and size of fish being caught, the party may ask for more family and friends to be invited. For instance,
the last time I caught a legal size white sturgeon and brought it home to cook, it was able to feed over 20 guests because of its enormous size. Fish meat that is not freshly prepared is carefully stored in the freezer and will usually see its way to the dinner table before the next fish outing.

13. Another notable change to the Delta waters and fisheries that I have witnessed and experienced since 2013, which I believe is the direct consequence of the drought, concerns seawater intrusion in our river systems. I remember diving into the water during a fishing trip with some of my friends on a hot summer day in August of 2014 while fishing in one of my favorite spots near Rio Vista. After getting out of the water I could literally taste and smell the salt from the river water around my lips as if I had picked up a container of salt and licked it. Moreover, during various fishing outings I have witnessed several sea creatures that one would expect only to see in the ocean waters. Some of these ocean type creatures that I have come into contact with included a sea turtle, leopard shark, and a great number of baby jellyfishes.

14. In conclusion, as a fisherman who has utilized the California Delta for recreational purposes for the last twenty-three years, as well as bringing home food throughout the year, I don’t approve of the Delta Tunnels project. I believe it would have devastating effects not only to the local fishing population but also the fisheries that call the Delta their home.

Dated: August 29, 2016

[Signature]

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