



December 9, 2021

California Fish and Game Commission
P.O. Box 944209
Sacramento, California 94244-2090

Sent via email to fgc@fgc.ca.gov

Subject: Comments on CDFW Evaluation Report on Petition to List Southern California Steelhead as Endangered Pursuant to the California Endangered Species Act

Dear California Fish and Game Commission:

We are writing to provide input with respect to the Petition to list the Southern California Steelhead under the California Endangered Species Act (CESA) dated June 7, 2021, and received by the Fish and Game Commission on July 2, 2021. The Commission then referred the petition to the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code section 2073 for preparation of an evaluation report on the petition. On November 30, CDFW released its written evaluation report ("Evaluation Report") to the public.

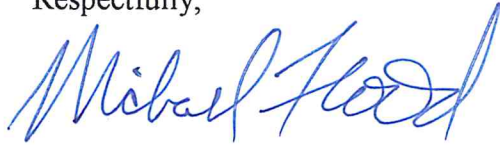
We have reviewed CDFW's Evaluation Report and discovered that it does not contain discussion of the substance of, or otherwise consider, the concerns raised in Casitas Municipal Water District's August 20, 2021 letter, nor does the Evaluation Report contain a discussion of the substance of any of the other timely submitted comment letters.

CDFW is mandated by Fish and Game Code section 2073.5 and Section 670.1 of Title 14 of the California Code of Regulations to consider all relevant information it receives on the petition and to evaluate the petition in light of that information. It does not appear, at least by review of the Evaluation Report, that consideration of all relevant information pertaining to the petition has occurred.

Due to CDFW's failure to include in the Evaluation Report any discussion or analysis of the relevant public comments it received concerning the petition, Casitas respectfully requests that the Commission remand the evaluation report back to CDFW with the direction that it prepare a revised evaluation report that evaluates the scientific information discussed and cited in the petition in relation to the public comments CDFW has received to date. To do otherwise would conflict with Fish and Game Code section 2073.5.¹

¹ See Fish and Game Code § 2073.5 ("Within 90 days of receipt of the petition, the department shall evaluate the petition on its face and in relation to other relevant information the department possesses or receives.")

Respectfully,

A handwritten signature in blue ink that reads "Michael Flood". The signature is written in a cursive style with a large, sweeping "M" and "F".

Michael Flood, General Manager
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