

San Luis & Delta-Mendota Water Authority



P.O. Box 2157
Los Banos, CA 93635
Phone: (209) 826-9696
Fax: (209) 826-9698

November 25, 2013

VIA FAX & U.S. MAIL

Jennifer Norris
Field Supervisor
U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way
Room W-2605
Sacramento, CA 95825
Facsimile: (916) 414-6712

Re: Request for 90-Day Extension of Comment Period for Proposed Threatened Status for the Western Distinct Population Segment of the Yellow-billed Cuckoo (*Coccyzus americanus*) (78 Fed.Reg. 61622)

Dear Ms. Norris:

The San Luis & Delta-Mendota Water Authority (“Authority”) requests a ninety day extension of the comment period on the U.S. Fish and Wildlife Service’s proposed rule listing the western population of the yellow-billed cuckoo (*Coccyzus americanus*) as a threatened species. The notice of the proposed rule published in the Federal Register on October 3, 2013 requests comments within sixty days, by December 2, 2013. The Authority would like to submit relevant scientific data relating to the matters discussed in the notice, but needs more time to do so than the existing December 2 deadline allows. The Authority requests that the deadline for comment be extended to March 3, 2014.

The members of the Authority are public agencies that have contracted for water supply from the federal Central Valley Project (“CVP”), and provide that water to farms and cities primarily in the western San Joaquin Valley and the Santa Clara Valley. This CVP water is conveyed through the Sacramento-San Joaquin Delta and pumped at the Jones Pumping Plant and the Banks Pumping Plant located near Tracy, California. The notice makes a number of statements about effects of water project operations generally on the yellow-billed cuckoo and its habitat, and specific statements regarding the effect of CVP facilities and operations in the Sacramento Valley. The Authority needs more time to adequately assess these conclusions and

research relevant data to provide to the Service in response. It is important that the Service's decision regarding listing, and any conclusions about the effects of project operations on the Yellow-billed cuckoo, be based on the best available scientific data and acknowledge the limitations and uncertainty given the available data.

The potential impacts of the proposed listing extend well beyond California. According to the notice, the western population of the yellow-billed cuckoo extends through nine western states. Of course, the precise regulation of water projects and other activities that would follow from a decision to list is uncertain at this time. But the apparent potential impact of the proposed listing on the water supply for farms and communities in these nine states warrants allowing more than sixty days for public comment.

We appreciate your consideration of our request.

Sincerely,



Dan Nelson
Executive Director
San Luis & Delta-Mendota Water Authority