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U.S. DEPARTMENT OF THE INTERIOR  
U.S. FISH AND WILDLIFE SERVICE  
PUBLIC HEARING  
regarding  
ENVIRONMENTAL IMPACT STATEMENT/  
ENVIRONMENTAL IMPACT REPORT FOR THE TRINITY RIVER  
MAINSTEM FISHERY RESTORATION  
SACRAMENTO GRAND BALLROOM  
629 J STREET  
SACRAMENTO, CALIFORNIA  
TUESDAY, NOVEMBER 18, 1999  
1:00 p.m.

RECEIVED - REG 1-AES  
DEC 14 1999  
FWS, PORTLAND, OR

PRESIDING: ROBERT RUESINK, Supervisor  
U.S. Fish and Wildlife Service  
Snake River Basin Office  
Boise, Idaho

APPEARING: MICHAEL SPEAR, Supervisor  
U.S. Fish and Wildlife Service  
California/Nevada Operations Office  
2800 Cottage Way, Room W-2606  
Sacramento, California 95825  
KIRK RODGERS, Regional Director,  
Mid-Pacific Region  
Bureau of Reclamation  
Sacramento, California

CHRIS ERIKSON, County Supervisor  
Trinity County  
Hayfork, California

REPORTED BY: MARYANN VALENUTI, RPR, CSR #11266  
JOB NO. 01-84905

1 HEARING OFFICER RUESINK: Please take your  
2 seats. We have not seen a representative from the  
3 Hoopa Valley Tribe, but I do want to open the hearing  
4 now, we are on the record.

5 Good afternoon. On behalf of the United States  
6 Fish and Wildlife Service, I welcome you to this public  
7 hearing. The U.S. Fish and Wildlife Service, U.S.  
8 Bureau of Reclamation, Hoopa Valley Tribe and Trinity  
9 County are conducting a joint process for taking  
10 comments in the Draft Environmental Impact Statement  
11 Environmental Impact Report for the Trinity River  
12 Mainstem Fisher Restoration.

13 My name is Robert Ruesink, last name is  
14 R-U-E-S - as in Sierra - I-N-K. I'm the supervisor  
15 for the Fish and Wildlife Service, Snake River Basin  
16 Office in Boise, Idaho, and this afternoon I will be  
17 serving as a presiding official for this hearing.

18 Our scheduled time for the hearing this afternoon  
19 is from 1 to 3 p.m., and we will reconvene again this  
20 evening from 6 to 8 p.m.. At the table with me are  
21 representatives from the Fish and Wildlife Service, U.S.  
22 Bureau of Reclamation and Trinity County. In a moment  
23 we will hear more from these individuals. Other  
24 representatives from the U.S. Fish and Wildlife Service  
25 are at the registration and information tables in the

Page 2

1 The EIS/EIR summarizes the research that has been  
2 undertaken over the past several years and identifies  
3 for public comment several potential alternatives for  
4 restoring the Trinity River system. Impacts considered  
5 under NEPA and CEQA are not limited to impacts to the  
6 fishery resources of the Trinity River, but include all  
7 the impacts of the action affecting the human  
8 environment. The department encourages public comment  
9 on all aspects of the draft EIS/EIR.

10 This public hearing is part of the common process  
11 in the draft EIS/EIR and will be closed  
12 December 20, 1999. A record of decisions expected in  
13 the early spring of 2000. On behalf of the service,  
14 Bureau of Reclamation, Hoopa Valley Tribe and Trinity  
15 County, I thank you for the effort you've made to attend  
16 this meeting and also thank you in advance for your  
17 comments.

18 Now we will hear some introductory remarks from  
19 Supervisor Chris Erikson, the representative of Trinity  
20 count.

21 MR. ERIKSON: Thank you. I'm Chris  
22 Erikson, County Supervisor in Trinity County, and  
23 Trinity County is the lead agency for the CEQA  
24 evaluation and that's why we are a part of this hearing.  
25 Thank you.

Page 4

1 lobby outside this room. They have additional material  
2 there that I would encourage you to look at and they  
3 will be at that table to answer questions that you may  
4 have regarding the topic of this hearing.

5 At this point I'd like to introduce Mike Spear,  
6 who is the Fish and Wildlife Service representative to  
7 make the official statement of the service, Mike.

8 MR. SPEAR: Good afternoon. My name is  
9 Mike Spear, Fish and Wildlife Service. I'm manager of  
10 our California-Nevada Operations Office. Release of the  
11 draft Trinity River Mainstem Fishery Restoration EIS/EIR  
12 is the latest step in the process that Congress  
13 initiated many years ago to address the long-standing  
14 concerns about the affects of water diversion, instream  
15 habitat, sedimentation and watershed management issues  
16 in the Trinity River system's health, including its once  
17 abundant salmon runs.

18 Congress directed the Secretary of the Interior  
19 to evaluate the impacts of these issues and to take  
20 steps to restore the health of the Trinity River system.  
21 In response to this mandate, the Department of the  
22 Interior has been actively participating in the study  
23 for more than 15 years. This has been a collaborative  
24 effort by the Fish and Wildlife Service, U.S. Bureau of  
25 Reclamation, the Hoopa Valley Tribe and Trinity County.

Page 3

1 MR. RODGERS: Good afternoon, my name is  
2 Kirk Rodgers. I'm the Deputy Regional Director for the  
3 Mid-Pacific Region and the Bureau of Reclamation.

4 The Trinity River Division is part of our  
5 Northern California area office. We have operational  
6 responsibilities on the river, along with operation or  
7 maintenance of some of the structures that are found and  
8 owned by the Federal Bureau of Reclamation there. So we  
9 are -- I'm pleased to hear comments on this milestone  
10 that we have reached on completing this EIS. We are  
11 very interested in hearing your thoughts and views on  
12 this and taking that message back to those who will be  
13 able to act upon those. Thank you.

14 HEARING OFFICER RUESINK: Thank you.  
15 Public comments on the draft EIS/EIR will be accepted  
16 until December 20, 1999. After review and consideration  
17 of your comments, the four co-lead agencies, along with  
18 the cooperating agencies, will prepare a final  
19 Environmental Impact Statement Environmental Impact  
20 Report. The purpose of this hearing is to receive your  
21 comments on the draft documents. Comments on all  
22 aspects of the alternatives described in those documents  
23 are very important and will be carefully considered.  
24 Because of the importance of your comments, it is  
25 necessary that we follow certain procedures here this

Page 5

1 afternoon. If you want to present comments at this  
2 hearing, please register at the table outside this room.  
3 When you register indicate any organization that you are  
4 representing. When you are called to present your  
5 comments, please come forward to the microphone in  
6 front. Begin your presentation by stating your full  
7 name, spell it for the record and indicate if you are  
8 representing an organization.

9 This is an informal meeting and, therefore, you  
10 will not be questioned or cross-examined in connection  
11 with your comments. Your comments or questions are  
12 being reported by the Reporter to preserve them for the  
13 record. Please keep in mind that the Reporter will not  
14 record any statements from the audience or which are  
15 made to the audience. Comments must be made into the  
16 microphone and to the agency representatives at the  
17 front table. If you have a copy of your statement,  
18 please leave it with the Reporter or with the  
19 registration staff. If you are reading your testimony,  
20 we ask that you please read slowly enough for the  
21 Reporter to be able to record your comments verbatim.  
22 Instead of presenting oral comments here this  
23 afternoon, we are or in addition to the oral comments,  
24 you may submit comments in writing. Written comments  
25 may be submitted today to the staff at the registration

Page 6

1 got at my house on the CVPIA there are confusing  
2 figures. It says the Trinity River, for the Trinity  
3 River flow pattern is 390,000 acre feet in critical dry  
4 years to 750,000 acre feet in wet years. This is  
5 Attachment G.

6 In the paragraph down it says, "The recommended  
7 flow range from 369,000 acre feet to 817,000 acre feet  
8 in wet years." Automatically we have a confusion here  
9 of about 50,000 acre feet. Should the water be released  
10 to the Trinity, the answer is yes. It must be  
11 consistent with state law.

12 State law in my opinion has been violated in the  
13 last 30 years on the Trinity, and that's again 5937. If  
14 you are looking for a place to get that water, look to  
15 the west side of the San Joaquin Valley. Both the  
16 Bureau and the Fish and Wildlife Service has massaged  
17 the language often enough that we are continued -- "we"  
18 being the feds -- to deliver irrigation water to  
19 irrigate selenium soils on the west side. The drainage  
20 from those selenium soils is raising havoc with fish,  
21 wildlife and other species in the San Joaquin system.  
22 In my opinion it's time now with the decision on  
23 Fryant, that both San Joaquin/Fryant and the Trinity  
24 River Fishery and wildlife resources be restored, both  
25 flows and water quality are needed. I recommend that

Page 8

1 table or they may be mailed to Mr. Joe Polos, P-O-L-O-S,  
2 U.S. Fish and Wildlife Service, 1655 Heindon,  
3 H-E-I-N-D-O-N, Road in Arcata, California, 95521. This  
4 address is also at the registration and information  
5 tables outside this room.

6 Written comments will be accepted through  
7 December 20, 1999. Written comments are given the same  
8 consideration as oral comments that are presented here  
9 this afternoon. At this time we are ready for the first  
10 speaker, Mr. Felix Smith. Would you come to the  
11 microphone, please. State your name, spell it for the  
12 record, identify who you represent and begin your  
13 comments.

14 MR. SMITH: My name Felix E. Smith. I  
15 represent myself as a taxpayer. Do you want my address?

16 MS. REPORTER: No.

17 MR. SMITH: Probably one of the only few  
18 people in the room, if there are others. I don't know,  
19 that worked on the Trinity River in 1956 to '58. I saw  
20 the massive runs of Chinook salmon that used to go up  
21 the Trinity.

22 What happened in the Trinity, in my opinion,  
23 violates what has now been a decision on Fryant by the  
24 recent court in the lawsuit between NRDC and the Bureau.

25 I also am aware in the PEIS just issued that I

Page 7

1 the 369,000 acre feet range to 817,000 acre feet be  
2 instituted at the earliest possible time. Thank you.

3 HEARING OFFICER RUESINK: Thank you, Mr.  
4 Smith, for your comments. At this time we do not have  
5 anyone else that's registered to speak. If some of you  
6 in the audience wish to make a statement at this time,  
7 please go to the registration table and fill out one of  
8 these cards. I'll give you just a minute if anyone  
9 wants to do that at this time.

10 If there's no one that wishes to speak at this  
11 time, we will take a break.

12 We are off the record.

13 (Whereupon, a recess was taken.)

14 HEARING OFFICER RUESINK: We are back on  
15 the record. No one else has signed up to speak. We are  
16 at the end of the scheduled time for the afternoon  
17 hearing.

18 I would remind you that we will reconvene this  
19 evening from 6 to 8 p.m.. This meeting is closed. We  
20 are off the record.

21 (Hearing adjourned at 3:01 p.m.)

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Page 9

<p>1           <b>CERTIFICATE OF REPORTER</b> 2 3           I, MARYANN H. VALENOTI, a Registered 4 Professional Reporter and Certified Shorthand Reporter, 5 hereby certify that the testimony in the foregoing 6 proceedings was taken by me, a disinterested person, at 7 the time and place therein stated, and that the 8 testimony was thereafter reduced to typewriting, by 9 computer, under my direction and supervision. 10          I further certify that I am not of counsel or 11 attorney for either or any of the parties to the said 12 proceedings, nor in any way interested in the event of 13 this cause, and that I am not related to any of the 14 parties thereto. 15 16                   DATED: DECEMBER 8, 1999 17 18                   _____ 19                   MARYANN VALENOTI, RPR, CSR 20                   CERTIFIED SHORTHAND REPORTER 21                   No. 11266 22 23 24 25</p> <p style="text-align: right;">Page 10</p>	

<p><b>A</b></p> <p>able 5:13 6:21 about 3:14 8:9 abundant 3:17 accepted 5:15 7:6 acre 8:3,4,7,7,9 9:1,1 act 5:13 action 4:7 actively 3:22 addition 6:23 additional 3:1 address 3:13 7:4,15 adjourned 9:21 advance 4:16 affecting 4:7 affects 3:14 After 5:16 afternoon 2:5 2:16,18 3:8 5:1 6:1,23 7:9 9:16 again 2:19 8:13 agencies 5:17,18 agency 4:23 6:16 ago 3:13 along 5:6,17 alternatives 4:3 5:22 answer 3:3 8:10 anyone 9:5,8 <b>APPEARING</b> 1:12 Arcata 7:3 area 5:5 aspects 4:9 5:22 Attachment 8:5 attend 4:15 attorney 10:11 audience 6:14 6:15 9:6 Automatically 8:8 aware 7:25</p>	<p>california 1:7 1:14,16,18 5:5 7:3 California-Ne... 3:10 California/Ne... 1:13 called 6:4 cards 9:8 carefully 5:23 cause 10:13 CEQA 4:5,23 certain 5:25 CERTIFICA... 10:1 certified 10:4,20 certify 10:5,10 Chinook 7:20 chris 1:17 4:19 4:21 closed 4:11 9:19 collaborative 3:23 come 6:5 7:10 comment 4:3,8 comments 2:10 4:17 5:9,15,17 5:21,21,24 6:1 6:5,11,11,15 6:21,22,23,24 6:24 7:6,7,8 7:13 9:4 common 4:10 completing 5:10 computer 10:9 concerns 3:14 conducting 2:9 confusing 8:1 confusion 8:8 Congress 3:12 3:18 connection 6:10 consideration 5:16 7:8 considered 4:4 5:23 consistent 8:11 continued 8:17 cooperating 5:18 copy 6:17 Cottage 1:13 counsel 10:10 count 4:20 County 1:17,18 2:9,22 3:25 4:15,22,22,23 court 7:24 co-lead 5:17 critical 8:3 cross-examined 6:10 CSR 1:20 10:19 CVPIA 8:1</p>	<p>december 4:12 5:16 7:7 10:16 decision 7:23 8:22 decisions 4:12 deliver 8:18 department 1:1 3:21 4:8 Deputy 5:2 described 5:22 directed 3:18 direction 10:9 Director 1:15 5:2 disinterested 10:6 diversion 3:14 Division 5:4 documents 5:21 5:22 down 8:6 draft 2:10 3:11 4:9,11 5:15,21 drainage 8:19 dry 8:3</p> <p><b>E</b></p> <p>E 7:14 earliest 9:2 early 4:13 effort 3:24 4:15 EIS 5:10 EIS/EIR 3:11 4:1,9,11 5:15 either 10:11 encourage 3:2 encourages 4:8 end 9:16 enough 6:20 8:17 environment 4:8 environmental 1:4,4 2:10,11 5:19,19 erikson 1:17 4:19,21,22 evaluate 3:19 evaluation 4:24 evening 2:20 9:19 event 10:12 expected 4:12</p>	<p>3:6,9,24 7:2 8:16,20 Fisher 2:12 fishery 1:5 3:11 4:6 8:24 flow 8:3,7 flows 8:25 follow 5:25 foregoing 10:5 forward 6:5 found 5:7 four 5:17 from 2:2,19,20 2:21,23,24 4:18 6:14 8:7 8:20 9:19 front 6:6,17 Fryant 7:23 8:23 full 6:6 further 10:10</p> <p><b>G</b></p> <p>G 8:5 give 9:8 given 7:7 go 7:20 9:7 Good 2:5 3:8 5:1 GRAND 1:6</p> <p><b>H</b></p> <p>H 10:3 habitat 3:15 happened 7:22 havoc 8:20 Hayfork 1:18 health 3:16,20 hear 2:23 4:18 5:9 hearing 1:2 2:1 2:3,7,17,18 3:4 4:10,24 5:11,14,20 6:2 9:3,14,17,21 Heindon 7:2 Hoopa 2:3,8 3:25 4:14 house 8:1 human 4:7 H-E-I-N-D-O-N 7:3</p>	<p>indicate 6:3,7 individuals 2:23 informal 6:9 information 2:25 7:4 initiated 3:13 Instead 6:22 instituted 9:2 instream 3:14 interested 5:11 10:12 interior 1:1 3:18 3:22 introduce 3:5 introductory 4:18 irrigate 8:19 irrigation 8:18 issued 7:25 issues 3:15,19 I-N-K 2:14</p> <p><b>J</b></p> <p>J 1:6 Joaquin 8:15,21 Joaquin/Fryant 8:23 JOB 1:20 Joe 7:1 joint 2:9 just 7:25 9:8</p> <p><b>K</b></p> <p>keep 6:13 kirk 1:15 5:2 know 7:18</p> <p><b>L</b></p> <p>language 8:17 last 2:13 8:13 latest 3:12 law 8:11,12 lawsuit 7:24 lead 4:23 leave 6:18 like 3:5 limited 4:5 lobby 3:1 long-standing 3:13 look 3:2 8:14 looking 8:14</p> <p><b>M</b></p> <p>made 4:15 6:15 6:15 mailed 7:1 mainstem 1:5 2:12 3:11 maintenance 5:7 make 3:7 9:6 management 3:15 manager 3:9 mandate 3:21 many 3:13</p>	<p>MARYANN 1:20 10:3,19 massaged 8:16 massive 7:20 material 3:1 may 3:3 6:24,25 7:1 meeting 4:16 6:9 9:19 message 5:12 MICHAEL 1:12 microphone 6:5 6:16 7:11 Mid-Pacific 1:15 5:3 Mike 3:5,7,9 milestone 5:9 mind 6:13 minute 9:8 moment 2:22 more 2:23 3:23 must 6:15 8:10 myself 7:15</p> <p><b>N</b></p> <p>name 2:13,13 + 3:8 5:1 6:7 7:11,14 necessary 5:25 needed 8:25 NEPA 4:5 Northern 5:5 NOVEMBER 1:8 NRDC 7:24</p> <p><b>O</b></p> <p>off 9:12,20 office 1:10,13 2:16 3:10 5:5 OFFICER 2:1 5:14 9:3,14 official 2:17 3:7 often 8:17 once 3:16 one 7:17 9:7,10 9:15 only 7:17 open 2:3 operation 5:6 operational 5:5 Operations 1:13 3:10 opinion 7:22 8:12,22 oral 6:22,23 7:8 organization 6:3,8 other 2:23 8:21 others 7:18 out 9:7 outside 3:1 6:2 7:5 over 4:2 owned 5:8</p>
<p><b>B</b></p> <p>back 5:12 9:14 BALLROOM 1:6 Basin 1:10 2:15 begin 6:6 7:12 behalf 2:5 4:13 being 6:12 8:18 between 7:24 Boise 1:11 2:16 both 8:15,23,24 break 9:11 Bureau 1:16 2:8 2:22 3:24 4:14 5:3,8 7:24 8:16</p>	<p><b>C</b></p> <p><b>D</b></p> <p>DATED 10:16</p>	<p><b>F</b></p> <p>Federal 5:8 feds 8:18 feet 8:3,4,7,7,9 9:1,1 Felix 7:10,14 few 7:17 figures 8:2 fill 9:7 final 5:18 first 7:9 fish 1:1,10,12 2:6,7,15,21,24</p>	<p><b>I</b></p> <p>Idaho 1:11 2:16 identifies 4:2 identify 7:12 impact 1:4,4 2:10,11 5:19 5:19 impacts 3:19 4:4,5,7 importance 5:24 important 5:23 include 4:6 including 3:16</p>		

<b>P</b>	8:6 reconvene 2:19 9:18 record 2:4 4:12 6:7,13,14,21 7:12 9:12,15 9:20 reduced 10:8 regarding 1:3 3:4 Region 1:15 5:3 Regional 1:15 5:2 register 6:2,3 registered 9:5 10:3 registration 2:25 6:19,25 7:4 9:7 related 10:13 Release 3:10 released 8:9 remarks 4:18 remind 9:18 report 1:4 2:11 5:20 reported 1:20 6:12 reporter 6:12 6:13,18,21 7:16 10:1,4,4 40:20 represent 7:12 7:15 representative 2:2 3:6 4:19 representatives 2:21,24 6:16 representing 6:4,8 research 4:1 resources 4:6 8:24 response 3:21 responsibilities 5:6 restoration 1:5 2:12 3:11 restore 3:20 restored 8:24 restoring 4:4 review 5:16 river 1:4,10 2:11,15 3:11 3:16,20 4:4,6 5:4,6 7:19 8:2 8:3,24 Road 7:3 robert 1:9 2:13 rodgers 1:15 5:1,2 room 1:13 3:1 6:2 7:5,18 RPR 1:20 10:19 ruesink 1:9 2:1 2:13 5:14 9:3 9:14	8:6 reconvene 2:19 9:18 record 2:4 4:12 6:7,13,14,21 7:12 9:12,15 9:20 reduced 10:8 regarding 1:3 3:4 Region 1:15 5:3 Regional 1:15 5:2 register 6:2,3 registered 9:5 10:3 registration 2:25 6:19,25 7:4 9:7 related 10:13 Release 3:10 released 8:9 remarks 4:18 remind 9:18 report 1:4 2:11 5:20 reported 1:20 6:12 reporter 6:12 6:13,18,21 7:16 10:1,4,4 40:20 represent 7:12 7:15 representative 2:2 3:6 4:19 representatives 2:21,24 6:16 representing 6:4,8 research 4:1 resources 4:6 8:24 response 3:21 responsibilities 5:6 restoration 1:5 2:12 3:11 restore 3:20 restored 8:24 restoring 4:4 review 5:16 river 1:4,10 2:11,15 3:11 3:16,20 4:4,6 5:4,6 7:19 8:2 8:3,24 Road 7:3 robert 1:9 2:13 rodgers 1:15 5:1,2 room 1:13 3:1 6:2 7:5,18 RPR 1:20 10:19 ruesink 1:9 2:1 2:13 5:14 9:3 9:14	runs 3:17 7:20 R-U-E-S 2:14 <b>S</b> sacramento 1:6 1:7,14,16 salmon 3:17 7:20 same 7:7 San 8:15,21,23 saw 7:19 says 8:2,6 scheduled 2:18 9:16 seats 2:2 Secretary 3:18 sedimentation 3:15 seen 2:2 selenium 8:19 8:20 service 1:1,10 1:12 2:6,7,15 2:21,24 3:6,7 3:9,24 4:13 7:2 8:16 serving 2:17 several 4:2,3 shorthand 10:4 10:20 side 8:15,19 Sierra 2:14 signed 9:15 slowly 6:20 smith 7:10,14 7:14,17 9:4 Snake 1:10 2:15 soils 8:19,20 some 4:18 5:7 9:5 speak 9:5,10,15 speaker 7:10 spear 1:12 3:5,8 3:9 species 8:21 spell 6:7 7:11 spring 4:13 staff 6:19,25 state 7:11 8:11 8:12 stated 10:7 statement 1:4 2:10 3:7 5:19 6:17 9:6 statements 6:14 States 2:5 stating 6:6 step 3:12 steps 3:20 STREET 1:6 structures 5:7 study 3:22 submit 6:24 submitted 6:25 summarizes 4:1 supervision 10:9	supervisor 1:9 1:12,17 2:14 4:19,22 system 3:20 4:4 8:21 system's 3:16 <b>T</b> table 2:20 3:3 6:2,17 7:1 9:7 tables 2:25 7:5 take 2:1 3:19 9:11 taken 9:13 10:6 taking 2:9 5:12 taxpayer 7:15 testimony 6:19 10:5,8 thank 4:15,16 4:21,25 5:13 5:14 9:2,3 thereto 10:14 thoughts 5:11 through 7:6 time 2:18 7:9 8:22 9:2,4,6,9 9:11,16 10:7 today 6:25 topic 3:4 Tribe 2:3,8 3:25 4:14 trinity 1:4,18 2:8,11,22 3:11 3:16,20,25 4:4 4:6,14,19,22 4:23 5:4 7:19 7:21,22 8:2,2 8:10,13,23 TUESDAY 1:8 typewriting 10:8 <b>U</b> under 4:5 10:9 undertaken 4:2 United 2:5 until 5:16 used 7:20 U.S 1:1,1,10,12 8:12 2:7,7,21,24 3:24 7:2 <b>V</b> VALENOTI 1:20 10:3,19 Valley 2:3,8 3:25 4:14 8:15 verbatim 6:21 very 5:11,23 views 5:11 violated 8:12 violates 7:23 <b>W</b> want 2:3 6:1 7:15 wants 9:9	water 3:14 8:9 8:14,18,25 watershed 3:15 way 1:13 10:12 welcome 2:6 west 8:15,19 wet 8:4,8 wildlife 1:1,10 1:12 2:6,7,15 2:21,24 3:6,9 3:24 7:2 8:16 8:21,24 wish 9:6 wishes 9:10 worked 7:19 writing 6:24 Written 6:24 7:6,7 W-2606 1:13 <b>Y</b> years 3:13,23 4:2 8:4,4,8,13 <b>#</b> #11266 1:20 <b>0</b> 01-84905 1:20 <b>1</b> 1 2:19 1:00 1:8 11266 10:21 15 3:23 1655 7:2 18 1:8 1956 7:19 1999 1:8 4:12 5:16 7:7 10:16 <b>2</b> 20 4:12 5:16 7:7 2000 4:13 2800 1:13 <b>3</b> 3 2:19 3:01 9:21 30 8:13 369,000 8:7 9:1 390,000 8:3 <b>5</b> 50,000 8:9 58 7:19 5937 8:13 <b>6</b> 6 2:20 9:19 629 1:6 <b>7</b> 750,000 8:4 <b>8</b>	8 2:20 9:19 10:16 817,000 8:7 9:1 <b>9</b> 95521 7:3 95825 1:14
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