"I am not against golf, since I cannot but suspect it keeps armies of the unworthy from discovering trout."

-- Paul O’Neill

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20:30/01. PCFFA AND ALLIED GROUPS SUE FEDERAL GOVERNMENT AND CALIFORNIA RICE GROWERS FOR NEAR-EXTINCTION OF SALMON: PCFFA and IFR, along with the National Resources Defense Council (NRDC), Earthjustice, San Francisco Baykeeper, and the Winnemem Wintu Tribe, have filed suit against the U.S. Bureau of Reclamation (Bureau), alleging illegal diversions of water from the Sacramento River that benefit agricultural interests at the expense of salmon runs. Both fall- and winter-runs of California Chinook have been driven to the brink of extinction, and the suit alleges that these diversions were a direct contribution to the failure of the salmon runs to rebound.

The suit is based on the alleged failure of the Bureau to renegotiate 40-year water delivery contracts after the salmon management regime under which they were negotiated was declared invalid for failing to protect fish. In 2005, PCFFA and IFR sued the Bureau and the National Marine Fisheries Service (NMFS) after NMFS issued a Biological Opinion that determined that the Bureau’s operation of the Central Valley Project, an irrigation system that transfers water from the Sacramento River to agricultural operations across the state, would not cause harm to endangered winter-run Chinook. While the court was hearing the case, the Bureau negotiated water delivery contacts with several irrigation districts, including those listed as plaintiffs in the current litigation. The court in the earlier case determined that the Biological Opinion did not meet the requirements of the Endangered Species Act, and ordered NMFS to prepare a new one, which finally appeared in 2009. However, the water delivery contracts were
not renegotiated to be consistent with the 2009 BiOp, and are operating under the earlier, invalidated Biological Opinion.

Kate Poole, Litigation Director for the NRDC, called the federal government’s mismanagement a “near-death blow for Chinook salmon and the thousands of people whose livelihood is tied to the salmon industry.” Gary Mulcahy, spokesman for the Winnemem Wintu, tied the survival of the salmon to the cultural preservation of Northern California’s native Tribes.

The current suit seeks to force the Bureau to renegotiate the contracts to comply with the requirements of the 2009 BiOp by limiting the amount of water diverted for industrial irrigation, and to include terms that would mitigate the impacts of allowable diversions on salmon runs.

For more information, see this 10 November press release from NRDC, and contribute to the IFR and PCFFA’s fight against government mismanagement of California’s natural resources.

20:30/02. DELAY OF DUNGENESS CRAB SEASON ENDANGERS LIVELIHOODS OF FISHERMEN, CALIFORNIA CULINARY CULTURE: The Dungeness crab fishing season has officially been delayed due to positive tests for domoic acid, a neurotoxin resulting from algal blooms in waters surrounding Dungeness crab habitat. Although these algal blooms are common, this one is uncommonly large and has persisted much later into the year than is typical. Officials from the state and other fisheries groups have linked the algal blooms and delay of the crab season to unseasonably warm waters off the California coast. The exceptionally high water temperatures may be a result of this year’s El Niño weather pattern, the “Blob” of warm water in the northern Pacific, and the weather patterns contributing to the ongoing drought. Observers warn that, due to the influence of climate change, this kind of disruption of fisheries may become common in coming years.

CDFW and the California Department of Public Health, with the help of commercial fishermen across the state, are gathering samples of Dungeness crab as part of a regular domoic acid testing protocol. CDFW hopes to reopen the crabbing season as soon as two sequential tests confirm that the crab are safe to eat. As yet, they have no solid projections for when that may occur. Commercial fishermen across the state are committed to providing safe, quality products to consumers and will not begin fishing until it is safe to do so.

For more information on the delay in this year’s crab season, see this 6 November press release from California DFW, or this 5 November editorial from the Sacramento Bee linking the endangered California crab fishery to climate change. PCFFA’s sister organization IFR is also maintaining an updates page for any news on the opening of Dungeness crab season. Visit the page to sign up for a weekly Domoic Acid Updates newsletter.

20:30/03. LAWSUIT ALLEGES SALMON FARMING IN PUGET SOUND IMPERILS WASHINGTON WILD SALMON FISHERY: A suit filed in the U.S. District Court in Seattle claims that salmon farming practices have harmed local wild salmon populations. The suit alleges that an outbreak of an infectious virus among wild salmon in 2012 is directly traceable to Atlantic salmon feeding operations within Puget Sound. The 2012 outbreak took place during that year’s fall-run of wild salmon. The suit, brought by wildlife advocacy group Wild Fish Conservancy, seeks an injunction to halt salmon farming in Puget Sound until a fuller assessment of the impact of farming facilities on wild salmon populations in Washington can be made.
Open ocean salmon aquaculture is an inherently dangerous activity that harms the ocean ecosystem and nearby wild salmon populations. The net pens in which farmed salmon are raised do nothing to prevent the spread of diseases that proliferate in salmon farms to wild fish counterparts, which may not have the same ability to fight infection as farmed salmon. Additionally, farmed salmon regularly escape from salmon farms and invade wild spawning streams, which may homogenize the wild gene pool and lead to the anomalous traits among wild fish for which farmed fish are bred. PCFFA advocates for sustainable onshore aquaculture, which can be accomplished with onsite water filtration systems and sustainable energy sources, which would eliminate the fear of disease and fish escapes.

For more information on the conflict between wild and farmed populations of salmon in Puget Sound, see this 5 November article by Martha Bellisle in the Eugene Register-Guard.

20:30/04. CALIFORNIA DROUGHT THREATENS SPECIES IN THE AIR AS WELL AS THE WATER: In a development that reminds us how interconnected the health of disparate species is in times of ecological crisis, the historic drought conditions in California Sacramento/San Joaquin River Delta have placed breeding populations of the threatened sandhill crane in danger.

The sandhill crane, which occurs in both the greater and more common lesser varieties, is a majestic bird that both plays a key role in the ecosystem of the Delta and provides a popular spectacle for visitors to the region. Their nesting and hunting sites are now threatened by reduced water levels in the drought, and in an ironic twist, refuge sites set up by the State have proven even more vulnerable to reduced water flows.

The cranes’ vulnerability in the delicate Delta ecosystem parallels the trials of the critically endangered Sacramento River salmon populations. This relationship echoes that between other keystone species, such as the health of Washington state orcas and the health of nearby salmon populations.

For more information on the dangers posed to sandhill cranes by California’s ongoing drought, see this 7 November article by Sharon Bernstein in Reuters.

20:30/05. NEW CALIFORNIA LEGISLATION TO STREAMLINE OCEAN TO TABLE PROCESS FOR FISHERMEN: Governor Jerry Brown of California has signed a new bill, AB 226, into law. Dubbed the ‘Pacific to Plate’ bill, the law is intended to make the process easier for fishermen to provide their wares directly to the seafood-loving public. The bill streamlines the permitting process for “fishermen’s markets,” akin to farmer’s markets, which will operate as food facilities and provide a forum for fishermen to clean and sell their catch directly to consumers. The law does not disrupt other systems of off-the-boat sales or other direct to consumer systems.

Fishermen hope that these new laws will bring increased sales revenues, while seafood lovers and chefs alike hope for increased access to the freshest catch. The law was based on a pioneering dock-to-table approach adopted by family fishermen in San Diego and designed to give small fishing operators a fighting chance in an increasingly mechanized fishing industry.

For more information on this bill and its ramifications, see this 8 October press release from speaker Toni Atkins of the California Assembly.

20:30/06. NEW NOAA APPOINTEES TO STAFF MARINE FISHERIES ADVISORY COUNCIL ANNOUNCED: The National Oceanic and Atmospheric Administration (NOAA)
announced this week four new appointees to the Marine Fisheries Advisory Council (MAFAC). MAFAC advises the Secretary of Commerce on living marine resources that fall under the jurisdiction of the Commerce department, and recommends policy changes and priorities of the federal government’s fisheries management. This includes reauthorization and implementation provisions of the Magnuson-Stevens Act, the Endangered Species Act, and the Marine Mammal Protection Act. The new appointees include experienced figures from the arenas of fishing, aquaculture, and environmental nonprofit work.

For more information, see this 12 November press release from NOAA.

20:30/07. THE FISHING INDUSTRY- NEWEST FRONTLINE IN THE FIGHT AGAINST HUMAN TRAFFICKING: The New York Times this week published a story highlighting an underrepresented aspect in the global struggle with modern slavery. In many countries, fishing boats operate illegally or semi-legally, and these enterprises are ripe for exploitation by human traffickers. Much as their counterparts in the sex trade do with young women, these unscrupulous predators entice young men to leave their homes with the promise of honest work at good wages on the high seas. Instead, the traffickers subject them to unspeakable working conditions and often demand payment of thousands of dollars for broker’s fees or other ill-defined debts in return.

This new wrinkle in the human trafficking underworld presents several difficulties for authorities, including the mobility of the perpetrators, and the often-international scene of the crimes in question.

For more information on how human trafficking practices are infecting the international fishing trade, see this 9 November report from Ian Urbina of the New York Times.

YOUR NEWS, COMMENTS, CORRECTIONS: Submit your news items, comments or any corrections to Editor at: tsloane@ifrfish.org, or call the IFR/PCFFA office with the news and a source at either: (415) 561- FISH (Southwest Office) or (541) 689-2000 (Northwest Office). If you have any trouble subscribing or unsubscribing, contact IFR/PCFFA directly at: tsloane@ifrfish.org. Sublegals is a weekly fisheries news bulletin service of Fishlink. “Fishlink” and “Sublegals” are registered trademarks of the Institute for Fisheries Resources. All rights to the use of these trademarks are reserved to IFR. All photos are by IFR unless otherwise accredited. This publication, however, may be freely reproduced and circulated without copyright restriction. Articles taken from Fishlink Sublegals may be freely reposted or reprinted with attribution to “Fishlink Sublegals.” If you are receiving this as a subscriber, please feel free to pass it on to your colleagues.

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