21:18/01. COALITION OF FISHING AND COMMUNITY GROUPS FIGHT TO PRESERVE SCIENTIFIC, STAKEHOLDER DRIVEN FISHERIES MANAGEMENT: In response to a proposal circulating on the West Coast that seeks National Monument status for nine seamounts, banks and ridges off the California coast, a diverse coalition of fishing and community groups including PCFFA, California Wetfish Producers Association, and Western Fishboat Owners Association have written a joint letter to the Obama administration requesting that fisheries management be left out of the proposal. Fishing in the proposed monument areas is already regulated by the Pacific Fishery Management Council (PFMC) and the National Marine Fisheries Service (NMFS) under authority of the Magnuson Stevens Fisheries Conservation and Management (MSA).

This fishing industry expressed its concern that area closures above the seamounts will not achieve the conservation goals outlined in the proposal. The proposal seeks protection of deep sea coral and sponge species that reside on the seafloor at incredible depth, in some cases thousands of feet. Most fishing activity in the proposed monuments does not come into contact with the seafloor, and PFMC has already banned bottom trawl fishing in the areas where damage could be done. What little fishing does contact bottom in these areas is mainly lightweight lobster trapping, a fishery that is certified as sustainable by the Marine Stewardship
Council. Banning water column fishing such as albacore trolling or drift gillnetting in this fashion will have no impact on seafloor resources, and completely excludes the individuals affected by the ban from formal public comment or recourse.

Unlike the Antiquities Act, under which a national monument would be designated, the MSA regulates fishing through a transparent public process that is driven by science and affords robust public participation. Fishing industry members view a blanket ban on commercial fishing as unnecessarily punitive and likely a disguise for ulterior motives that have nothing to do with deep sea corals.

For more information, see this 7 June National Coalition for Fishing Communities Press Release, and the 7 July letter from fishing groups.

21:18/02. KLAMATH TRIBES THREATEN TO SUE FEDS OVER SALMON INFECTIONS: The Yurok, Karuk, and Hoopa tribes have announced their intention to sue the Bureau of Reclamation and the National Marine Fisheries Service (NMFS) for Endangered Species Act violations over failure to protect threatened juvenile coho from devastating parasitic outbreaks on the Klamath River in 2014 and 2015. As many as 91 percent of juvenile Coho and Chinook in the Klamath were infected and died during that period. These events were separate from an outbreak of the gill parasite ich, which killed adult fall-run salmon during the same years for the first time since 2002. A Karuk tribe spokesman stated that the ultimate fix for disease outbreaks would be removal of all four Klamath River dams, but that more releases from the dams can help stave off outbreaks in the meantime.

The tribes allege that the agencies’ limited release of water from four hydroelectric dams along the river were insufficient to flush the parasites out of water and gravel. A March 2016 letter from the NMFS to the Bureau of Reclamation stated that higher disease rates are expected in dry years, and that it is considering allowing more fish to become infected before changing any river management practices. According to the 2013 NMFS biological opinion (bi-op) up to 49 percent of juvenile Klamath salmon are permitted to be infected due to dam management. If the disease rates rise over 49%, the Bureau of Reclamation is required to consult with NMFS to discuss possible changes in operation. In 2015, NMFS stated that it would allow the bi-op to stand, but that they plan to revise it by April 2017.

For more information, see this 24 June Eureka Times Standard article.

21:18/03. CHANGES MADE TO SOUTHERN CALIFORNIA WATER WHOLESALER POLICY: California is changing the way water wholesalers such as the Metropolitan Water District allocate and conserve water, particularly in southern California. 2015 was one of the driest years on record, but after a winter of rain and snow the State Water Resources Control Board (State Board) has come under pressure to relax water restrictions. The new regulations still mandate conservation, but instead of imposing limits, wholesalers will instead have to prove that they have enough water to make it through three more dry years based on a state formula which contains projected supply and demand. If the agency looks to be short at the end of three years, they must begin conserving now. However, if projections show water left over, they may not have to conserve as rigidly, or even at all. If the wholesaler finds it may not have to conserve, the individual agencies (such as Los Angeles Water and Power) may not have to, either.

Despite loosened water regulations, there is still a permanent ban on wasteful water practices, such as hosing down sidewalks. The State Board is encouraging people to continue to cut back, though not mandating restrictions. This has historically not been a very effective
strategy. In 2014, Governor Brown asked for a voluntary cutback of 20%, which was only met once. The state maintains the right re-institute mandatory water restrictions if water agencies fail to manage their supplies adequately.

For more information, see this 14 June 89.3 KPCC article.

21:18/04. GROUPS PUSH FOR PREDATOR ERADICATION INSTEAD OF AMPLE FLOW FOR SALMON: Two farming groups- the California Farm Bureau Federation and Western Growers- have joined a coalition whose main focus is to reduce the amount of invasive, predatory fish species in the San Francisco Bay-Delta Estuary. Striped Bass, Black Bass, and other introduced fish feed on juvenile salmon and smelt, further stressing already-endangered populations. The coalition is asking that size and bag limits on predatory fish be removed to help control populations- a strategy that has proved effective in Washington and Oregon.

The farmers’ ultimate goal is to increase water allocations and pumping from the Delta for irrigation in central and southern California. They hope that if pressure is taken off of endangered species, water regulators will allow more water allocations to farmers. “We’re asking that the government consider other stresses impacting the health of smelt and salmon populations and not just resort to turning down the pumps” states Cory Lunde, Western Grower’s director of strategic initiatives and communications. The Fish and Game Commission is expected to take up the petition and conduct studies into alternative strategies.

Increased predation is a function of low water flows in salmon-supporting rivers. Juvenile salmon are poor swimmers, and need ample streamflow to convey them through rivers and estuaries to the ocean. As flows decrease from drought, diversion or otherwise, those fish slow down and become easy targets for looming predators. Moreover, with decreased flow comes less turbidity that would usually provide camouflage for young salmon migrants. A more appropriate response to decreased juvenile salmon survival in inland waterways may well be to reduce water exports that drive down Delta outflow.

For more information, see this 1 June Capital Press article

21:18/05. RED SNAPPER REGULATIONS COULD CHANGE IN GULF OF MEXICO: The U.S. House of Representatives Natural Resources Committee voted to pass a contentious fishery management bill on 15 June. H.R. 3094 would remove Gulf Coast red snapper management from the Gulf of Mexico Fisheries Management Council, and establish a new regulatory body, the Gulf States Red Snapper Authority. The transfer effectively would remove federal control of the Gulf snapper fishery and place it in the hands of the involved states. The Authority would consist of one representative from each of the Gulf states- Texas, Louisiana, Mississippi, Georgia, and Florida, and would set snapper regulations by majority vote. A similar model has been employed on the East Coast to manage Striped Bass.

There is conflict regarding the change: some herald it as a victory over decades of mis-management of the Magnuson-Stevens Act. Others point to consistent growth of Snapper populations over the last decade as proof of competent Federal management, and hold that states simply don’t have the resources to manage a fishery as wide-ranging and complex as the Gulf Snapper fishery.

For more information, see this 15 June St. Augustine editorial, and this 15 June Ocean Conservancy article. See Congress’ webpage for H.R. 3094 for official bill text and analysis.
21:18/06: CALIFORNIA SNOWPACK 6% OF NORMAL: Despite a relatively wet winter (though not the El Niño “salvation” that was hoped for) California’s snowpack has all but disappeared. Although snowpack sometimes reached as much as 80% of normal this winter, a warm, sunny spring has caused the snow to melt prematurely, filling reservoirs. This has provided some relief from the effects of California’s epic drought, though most of the wet conditions occurred in the North, leaving the South dry. According to the California Department of Natural Resources, California reservoirs were at 87% of capacity as of June 14th, compared to just 59% of normal last year.

Despite full reservoirs, California’s water woes are far from over. The state’s hydrologic system developed to rely on snowmelt lasting throughout the summer to provide a steady flow of snowmelt during the hot, dry months of summer and fall. Reservoirs evaporate far more quickly than snowpack. The U.S. Climate Prediction Center predicts a 75% chance of a La Niña establishing this winter. On the heels of the less-than-stellar El Niño, a La Niña event will bring even drier conditions. Snowpacks across the west continue to shrink, causing shortages for irrigation and drinking water, as well as juvenile salmonids- which are also susceptible to temperature changes from releases of warm reservoir water.

For more information, see this 15 June Discover article, and Sublegals 21:16/13.

21:18/07. PUBLIC COMMENT PERIOD OPEN FOR OREGON FORAGE FISH MANAGEMENT PLAN: The Oregon Department of Fish & Wildlife (ODFW) is asking for public comment on their management plan for forage fish - small, schooling fish such as sardines and mackerel. Forage fish provide an important food source for fish, birds and other marine mammals, as well as being commercially and recreationally fished. The plan will establish forage fish protections through fishing regulation and seeks public comment to guide new resource management decisions. Some forage fish species, such as sardine, mackerel and herring, are already tracked and managed individually. The plan would expand this to include lesser-fished species such as smelt, squid, and sand-lance. The plan would also increase forage fish protection into state waters less than three miles offshore. A federal protection plan is already in place, and the Oregon plan seeks to integrate with the federal regulations, creating a managed and protected “food web” along the entire West Coast. The open public comment period runs through 13 July.

For more information, see this 14 June Oregon Department of Fish & Wildlife article.

To get involved, visit ODFW’s website for a copy of the draft plan, or call (541) 867-4741. Send email comments to mailto:odfw.comments@state.or.us.

21:18/08. “SCUMMY” AWARD GOES TO WESTERN STATES PETROLEUM ASSOCIATION: WSPA, a lobbying organization for oil interests in Washington, Oregon, California, Arizona, and Nevada, has been granted the “Scummy” award by the environmental group Stop Fooling California. The award is a humorous way of pointing out the “best at being the worst” among polluters. WSPA received the award for “for fighting for the oil industry’s right to pollute.”

WSPA and its president, Catherine Reheis-Boyd, have received the “Scummy” before. Following the Richmond Chevron refinery fire in 2012, which sent 15,000 people to hospitals following exposure to smoke and fumes, WSPA challenged new regulations aimed at reducing refinery emissions, earning her the ire of environmental groups. Reheis-Boyd was awarded a “Scummy” in May, when it was announced that she was to be honored as “Distinguished Woman and Petroleum Advocate of the Year.” WSPA is consistently at the top of lobbying
spending in Sacramento. This session alone WSPA has spent $12.8 million, leading to fears of regulatory influence over offshore drilling sites.

For more information, see this 18 June Daily Kos article.

21:18/09. TRIBAL DELEGATION SEEKS ACCORD WITH BRITISH COLUMBIA OVER MINING POLLUTION: Fifteen federally-recognized Native American tribes in Alaska have formed an organization to challenge British Columbian copper and gold mining practices that pollute shared cross-border river systems inhabited by Alaskan salmon. In 2014 the Mount Polley mine tailings pond dam breached, causing years’ worth of mining waste slurry to flow into Polley Lake, Hazeltine Creek, Quesnel Lake and the Cariboo River, poisoning fish and drinking water. Despite this history, Canadian officials recently opened another, larger open-pit gold and copper mine, run by the same company that owns the Polley mine, and using much the same technology. Ten more metals mines are also in planning stages that could directly affect three key river systems spanning the U.S./Canadian border: the Taku, Stikine, and Unuk. The U.S. borders are already designated as non-development zones to protect their economic and cultural importance.

The Alaskan delegation is not opposed to all mining, however, they seek a seat at the table where important decisions are being made regarding resources that affect them. The group also seeks to gain consensus on how the rivers will be managed many generations down the road.

For more information, see this 16 June Vancouver Sun article.

21:18/10. PCFFA, IFR ROADSHOW CONNECTING WITH CALIFORNIA FISHERMEN: As part of an ongoing effort to reach out to the commercial fishing industry, PCFFA and IFR staff including Executive Director Tim Sloane and Fisheries Policy Consultant Kalla Hirschbein are visiting ports up and down the state of California. The goal of these Fishermen’s Workshops is to advise the fleet of the several ongoing policy challenges to commercial fishing opportunity, and to discuss ways to improve PCFFA and IFR’s effectiveness in representing the fleet. Workshops took place in Morro Bay and Half Moon Bay last week, and will continue into Ft. Bragg on 12 July, and Eureka on 13 July. All fishermen interested in joining the fight for long-term fishing opportunity are invited to attend.

For more information, contact your local PCFFA representative, or see the flyers for each harbor on the PCFFA website.

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.

#####