“The willingness to accept responsibility for one’s own life is the source from which all self-respect springs.” --- Joan Didion

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21:01/01. WELCOME TO 2016: A warm greeting from your sustainable fisheries and fishing communities advocates at the Pacific Coast Federation of Fishermen’s Associations (PCFFA) and the Institute for Fisheries Resources (IFR)! 2015 was a tumultuous year both inside and outside our organizations. 2016 will likely be much of the same, but we’re looking forward to continuing our efforts to protect fish, fisheries and fishing families. Feel free to drop us a line any time this year with any questions, concerns, or to simply say hello, by emailing sublegals@ifrfish.org or visiting the IFR webpage at www.ifrfish.org. Here’s hoping for some D-crab fishing, stronger salmon seasons, equitable access for all fishermen to all fisheries, and increased public awareness of our struggles in the New Year.

21:01/02. D-CRAB UPDATE: DOMOIC ACID TESTS IMPROVING; ECOSYSTEM INDICATORS TRENDING DOWN; CALL FOR CRABBERS’ RELIEF DONATIONS; STATE COMMITTEE SEEKS TO BOLSTER MARKET: California’s commercial Dungeness crab fishery remains on hold due to the presence of domoic acid (DA), a potentially harmful but naturally occurring toxin, in the waters off of the state. But recent DA testing at several California ports is showing that DA’s presence in Dungeness crab viscera is trending downward. Results posted to the California Department of Public Health (CDPH) website on 8 January indicate that the Northern region of the state, thought to be particularly problematic for ridding itself of DA, are very close to testing clean, with only one or two crabs from each sample location testing over the alert threshold. All crabs sampled must be under the 30 ppm threshold for a port to be
considered clean. All ports in the state must test clean twice before the California Department of Fish & Wildlife (CDFW) will consider opening the commercial Dungeness fishery.

That news follows the opening of the commercial rock crab fishery south of Point Piedras Blancas (below Big Sur), as well as the opening of both rock and Dungeness recreational fishing in that area. Reports are coming in that the diatom *pseudo-nitzschia*, which is responsible for DA, is present in very low numbers at several sites from Sonoma to San Diego, and has not been observed north of Bodega Bay since the middle of December. Additionally, clean tests in Oregon and Washington led to the opening of commercial and recreational crab fishing in those states, and reports are coming in that ex-vessel prices have been solid in the opening week in those states.

While California waits to get commercial crab fishing underway, efforts are springing up to provide some relief to the crab fleet, most of which has been waiting to work since the salmon season closed in September. Thanks to fishing wife extraordinaire Lori French, the commercial fleet has at least some help on the way: Lori founded a gofundme.com page that will channel donations to those commercial fishing families most in need. Additionally, state Senator Mike McGuire and Assemblyman Jim Wood are leading a committee of commercial fishermen, processors and government in an attempt to excite the public about California Dungeness for the day when fishing resumes.

For more information, see the latest CDPH DA testing results. Info on the Washington and Oregon D-crab fisheries is available in this 5 January Chinook Observer article. Stay tuned for info on the *ad hoc* Crab Committee. For information on crabbing south of Piedras Blancas, see this 31 December 2015 SFGate.com article.

To get involved, visit Lori French’s Crabber’s Emergency Relief Fund page and make a donation to fishing families in need.

21:01/03. PCFFA, IFR, OTHERS FILE FORMAL PROTEST TO DELTA TUNNELS: The deadline to file formal protests against the California Department of Water Resources’ (DWR) and U.S. Bureau of Reclamation’s (BoR) application for a critical infrastructure component of the Delta Tunnel proposal, passed on Tuesday, 5 January. Several groups have jumped into the fight against a plan to construct two massive tunnels beneath the San Francisco Bay-Delta Estuary to suck Sacramento River water into the San Joaquin Valley. The State Water Resources Control Board will hear arguments this year as to whether DWR’s plan to relocate its water diversion point in the Delta is in the public interest.

DWR wants to change the diversion location – the point at which it currently sucks water out of the Sacramento/San Joaquin River confluence – from the south part of the Delta to the north. The point of diversion change is the underlying reason for the Tunnel proposal: that sucking water from the Sacramento River upstream of the Delta, rather than within it, will reduce reliance on the Delta for the rest of the state’s water supply. Doing so, however, deprives the Delta of critical freshwater inflow and could suck dry the most important salmon highway in California, the Sacramento River.

Accordingly, IFR and PCFFA, along with several other fishing, environmental, social justice, farming and community organizations, submitted formal protests to the point of diversion proposed change, alerting the State Board of their desire to participate in the evidentiary hearing over the point of diversion change petition. Many groups, including PCFFA and IFR, also expressed a desire to put on evidence at the hearing. The hearing is expected to last well into 2017, if not longer.
For more information, see this 3 January Stockton Record article. For information on Tunnel proponents and their tactics to influence water policy proceedings, including the Tunnel hearings, see this 30 December 2015 New York Times article.

21:01/04. CALIFORNIA APPROVES $1.2 BILLION TO FUND INCREASED WATER RECYCLING PROJECTS: California’s State Water Resources Board (SWRB) approved $1.2 billion in new revenue bonds to fund water recycling projects statewide. These bonds are intended to aid water districts and municipalities in the construction and upgrade of new recycling plants, pipelines, and delivery facilities to supplement California’s water supply in the coming years. The new bonds will add to an increase of 40 per cent in project commitments for the 2014-2015 fiscal year, an increase which Board predictions project will already strain existing funds.

The bonds, paid for by project beneficiaries, ultimately aid the state in complying with the Federal Clean Water Act and meeting its own economic needs. Recycled water measures projected to be paid for by the bonds will include wastewater treatment, storm water treatment, nonpoint source mitigation, and comprehensive estuary conservation. The resolution before the SWRB was unanimously approved and supported by several water advocacy groups.

For more information on the new recycled water bonds, see this 5 January article by Steve Scauzillo of the San Gabriel Valley Tribune.

21:01/05. JERRY BROWN ADMINISTRATION ALLOCATES $3.6 MILLION FROM GENERAL FUND FOR DESTRUCTIVE TUNNELS PROJECT: California Governor Jerry Brown’s office has submitted a budget proposal to the California legislature that includes more than three and a half million dollars in funding for the unapproved and still controversial Delta Tunnels project. The project, dubbed the “California WaterFix” for public relations purposes, remains a strong point of contention between fisheries advocates, environmental interests, and California’s wealthy and hugely influential agricultural sector.

Governor Brown’s office has quietly taken the side of industrial irrigators in the conflict, and this latest move violates a pledge made previously by Delta Tunnel boosters that all funding for the project would come from the beneficiaries of it rather than taxpayers. The proposed $3.6 million dedicated to the Tunnels in Brown’s proposed budget would instead come from the General Fund.

The Delta Tunnels, discussed in previous editions of Sublegals, were originally proposed as part of the Bay Delta Conservation Plan (BDCP), which itself failed to meet Federal guidelines for water quality and fishery conservation. The revamped Tunnel project contains even fewer conservation measures than the original incarnation of the plan, and has yet to receive any state or Federal permits necessary for implementation.

For more information on the controversy surrounding the Delta Tunnels, see this 15 November article By David Siders of the Sacramento Bee, or view the budget item in question on page 107 of the Governor’s proposed budget.

21:01/06. FISH STOCKS CONTINUE FREEFALL IN SACRAMENTO RIVER DELTA: Several aquatic species, including most notably Delta Smelt, have continued to see their numbers drop precipitously in 2015. Index stations in the Sacramento River collected just six of the endangered Delta smelt over the past year. Only fifty-two striped bass were collected, while
only seventy-nine American Shad were netted, with both species underpinning the economically important sportfishing industry in the region.

The ongoing collapse of fish stocks in the Delta is a major point of contention in light of the ongoing fight over the proposed water resources plan culminating in the proposed Delta Tunnels, which would divert large amounts of water from their natural beds to better serve irrigation demand in California’s agricultural heartland. While the sportfishing industry has been hard hit by the region’s ecological troubles, the greater impact may be on California’s imperiled salmon runs, which have declined by more than 98% in recent years.

Conservation advocates blame government inaction for the continued failure to stem the disastrous effect of water mismanagement on California’s fish populations, and see the Delta Tunnels as a final nail in the coffin for the Sacramento River Delta’s threatened fishing industries.

For more information on the endangered Delta Smelt and other reeling fish populations in the Delta, see this 4 January piece by Dan Bacher for Dailykos.

21:01/07. ALASKA STUDIES FINDS FISHERIES REVENUES CONTRIBUTE TO LOCAL ECONOMIES MUCH MORE THAN TO STATE GOVERNMENT: A recent study by the University of Alaska’s Institute of Social and Economic Research has found that the state government spends more on fisheries maintenance than it receives in revenue, but that local governments as well as communities benefit greatly from Alaska’s massive fishing industry.

The study, commissioned by the Alaska Division of Economic Development, examined the impacts of Alaska’s fishery policies on state and local government spending, and found that local governments are a clear winner, with approximately 40% of the revenue from commercial fishing going to local governments. Alaska’s state government, by contrast, spends more on commercial fishing than on any other sector of the economy, to the tune of approximately $80 million annually.

The studies authors point out that the data was not meant to be interpreted as for or against maintaining fisheries spending at current levels, but was rather intended to help lawmakers make informed decisions about future spending. They likewise pointed out that these figures do not include the economic gains represented by fisheries related businesses, such as recreational fishing and spending at restaurants.

For more information, see this 7 January article by Elizabeth Earl in the Juneau Empire.

21:01/08. ALASKA SUPREME COURT FAVORS PRIVATE INTERESTS IN LANDMARK QUOTA DECISION: A recent decision by the Alaska Supreme Court has observers fearful that large commercial fishing interests will be granted de facto ownership of the state’s hugely important fish stocks.

The ruling by the state’s high court concerns the Alaska Limited Entry Act, approved by Alaska’s voters in 1973, which governs the state’s quota system. The decision states that, because commercial fishermen hold licenses which are greatly valuable, and, unlike noncommercial take licenses, roll over from year to year, they grant commercial fishing interests the status of a “cohesive, recognizable, and permanent group.” According to the opinion, this group, rather than the people of the state, has a controlling interest in Alaska’s salmon resources.
The decision goes on to state that, should allotments restricting the issuance of fishing rights have to be made in the future, prospective non-commercial parties would be the one’s to experience curtailed fishing rights first. While the immediate effects of this decision greatly concern Alaska’s recreational and sport fishing communities, observers are interested to see what kind of precedent this decision may create, sending economic shockwaves far beyond the borders of the state.

For more information, see this [5 January Comment by Craig Medred from Alaska Dispatch News](https://wwwdispatchnews.com/). 

21:01/09: ENDANGERED KILLER WHALES’ DIETS UP TO 98% SALMON: Seems as though endangered Southern Resident orca whales like a salmon barbecue more than most humans. A new study reveals that salmon comprise up to 98% of these whales’ diets in summer months. King salmon make up the majority of the diet, at 80% of total, with cohos rounding out another 15%. The findings compound the necessity to protect salmon runs and provide a strong example of how seemingly innocuous inland human interventions, like water diversions, can have massive ripple effects on purely ocean-going apex predators.

For more information, see this [6 January International Business Times article](https://www.ibtimes.com/). The study is available from Plos One.

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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