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PACIFIC COAST FEDERATION of FISHERMEN'S ASSOCIATIONS



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In Memoriam:
Nathaniel S. Bingham
Harold C. Christensen
W.F. "Zeke" Grader, Jr.

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Dear Honorable Members,

The Pacific Coast Federation of Fishermen's Associations (PCFFA) writes to express our opposition to S. 2533, the "California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act" introduced by Senator Feinstein.

PCFFA is the largest organization of commercial fishermen and women on the West Coast. For forty years, we have been leading the industry in assuring the rights of individual fishermen and fighting for the long-term survival of commercial fishing as a productive livelihood and way of life. PCFFA represents fifteen local fishermen's associations on the West Coast from Santa Barbara to the Canadian border. Our members depend on robust salmon fisheries to sustain their livelihoods, their local economies and communities.

We appreciate Senator Feinstein's persistence in seeking meaningful short- and long-term solutions to California's devastating drought. In our eyes, this latest iteration of drought relief legislation takes some steps forward, but it includes so many provisions that could damage salmon that we must oppose S. 2533. We view this bill as an inappropriate starting point for conference committee negotiations that are likely to further erode fish and water protections that enable California's \$1.4 billion salmon industry to survive.

Foremost among these concerns is a lack of equity in the means by which S. 2533 doles out "relief." Nowhere in the 190-page bill is there a discussion of relief for the salmon fishing industry, despite several provisions that would support industrial irrigation in the San Joaquin Valley. Moreover, language in the bill that governs operations of the Central Valley Project and the State Water Project does not address potential negative impacts on Sacramento River fall run Chinook, the salmon run on which California's, Oregon's, and to a lesser extent Washington's commercial fishing industries are founded. West Coast salmon fishermen are even more in need of relief from the drought than other businesses in California. (Cities have conserved. Agriculture has set records for revenue during the drought. But PPIC has found that the

environment has suffered more than any other sector.) Any drought relief bill must protect the economically-valuable fall run in addition to endangered salmon runs.

The bill directs water managers to “maximize” water supply and exports from the San Francisco Bay-Delta Estuary. We do not believe that this policy is appropriate given the intense strain on available water supplies and the ecosystem. Legislating a policy of increasing water exports would represent a de facto policy to reduce the water available to salmon and the fishing industry. We believe that the Central Valley Project Improvement Act’s “co-equal goals,” including water supply and the doubling of Central Valley salmon runs, are more equitable principles to guide us through this difficult time. The state legislature has incorporated similar “co-equal goals” for managing the Delta in state law. S. 2533 is inconsistent with both of these statutes.

We are also concerned that the bill would allow water managers to exceed certain restrictions in the National Marine Fisheries Service’s 2009 Salmon Biological Opinion (BiOp). For instance, the BiOp sets limit regarding flow in the Delta-Estuary during operation of the Delta export pumps so as to prevent entrainment of juvenile salmon and other species. S. 2533 allows managers to allow pumping in excess of the restrictions prescribed in the BiOp. This circumvention of the BiOp is particularly dangerous to salmon fisheries at a time when juvenile survival has been disastrously low after two years of poor temperature and flow conditions in the rivers. Weakening standards in the Delta could wipe out certain runs entirely, with consequent impacts on fishing communities.

S. 2533 provides for new dam construction projects in California. PCFFA’s members have never encountered a dam that was good for salmon. While responsible storage may need to be a component of drought preparedness, proposed new or expanded reservoirs in California would contribute negligible amounts of additional supply. We support thorough environmental review and feasibility studies for proposed new storage projects, but these projects must be proven to be environmentally credible before they move forward. The bill does not include rigorous and enforceable provisions to ensure that this happens.

We applaud Senator Feinstein’s inclusion of provisions supporting water recycling and conservation that will actually take stress off of our over-allocated natural supplies. We believe long-term drought resiliency requires rigorous comparison of proposed reservoirs against alternative methods of increasing supply or decreasing demand for our increasingly scarce water resource. This bill places the priority on new dams, which are the tool most likely to further harm salmon.

Finally, we oppose language in S. 2533 that alters and undermines existing environmental laws such as NEPA, the ESA and the CVPIA. Adequate and thorough environmental review is critical to protect against rash decisions made in the name of the drought emergency. If we sacrifice that analysis now, there may be fewer species to protect by the time the drought ends. Existing environmental protections are more critical now than ever.

Several other provisions in the bill could have negative impacts on West Coast fisheries. Please see the Fact Sheet by the Golden Gate Salmon Association, enclosed, for additional detail.

We also point your attention to Congressman Huffman's H.R. 2983, which we believe strikes the right balance between short-term relief to communities affected by the drought, long-term planning to avoid similar impacts in the future, and protections for all of the businesses impacted by water scarcity. H.R. 2983 reflects the principle that because no particular sector of the economy caused the drought, no particular sector should disproportionately bear its consequences.

The West Coast fishing community thanks you for your consideration. We invite you to contact our office with any concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Sloane', with a stylized flourish at the end.

Tim Sloane
Executive Director