

# FISHERMEN'S NEWS

*The Advocate for the Commercial Fisherman*



## Pacific Coast Federation of Fishermen's Associations

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### Congressional Wish List for 2016 BY TIM SLOANE AND GLEN SPAIN

Amid all the recent political and Presidential elections circuses, we have often wondered to ourselves, "Where is the candidate for the Fish Party?"

It would make a lot of sense. The fishing industry encapsulates a lot of the issues that permeate the long, ugly road to the White House: empowering small businesses, restoring the middle class, the state of the environment and the utilization of our natural resources, economic inequality, the government's regulatory role, foreign policy, and the social safety net. A candidate could build a campaign entirely on fisheries issues and analogize their positions to the rest of the nation's needs. But does anyone believe that any of our illustrious candidates are running on the "Fisheries First" platform?

In seriousness, although the Presidential campaign is sucking a lot of the political oxygen out of the US this year, we still have a Congress that is supposed to be working on behalf of the American people. And despite its current gridlock, that Congress still does have the legislative and appropriative authorities granted to it under the Constitution.

With those authorities, which one might even characterize as responsibilities, in mind here is PCFFA's 2016 "Congressional Wish List."

Ten years ago, in an earlier version of the PCFFA Wish List, former PCFFA

Executive Director Zeke Grader and PCFFA Northwest Regional Director Glen Spain wrote that "our list to Congress is merely to address some overdue and long-unmet needs owed America's oldest industry. Our list is to fulfill what is owed working fishing men and women in fulfillment of the nation's stewardship responsibility for our public fishery resources."

Ten years and not much has changed. Here is our PCFFA Congressional Wish List for 2016:

#### 1. Financial Relief for Distressed Fisheries

In 2006, the authors of this column then wrote on the need for disaster relief in the West Coast salmon fishery. It's 2016 and we have a new fishery disaster in town. The domoic acid contamination in California this year was unprecedented in its persistence over time and space, ultimately forcing the shutdown of one of the state's most productive fisheries. California crabbers were caught completely off-guard with the announcement of the Dungeness crab fishery closure coming just a few short days before the season was set to open. Coming off a poor salmon season in 2015, many had invested what savings they'd amassed on their crab outfits in the hope of getting something out of the fishing year. And they've been hanging by a thread ever since, with new domoic acid sampling results coming in every few

days that offer a glimmer of hope.

Thankfully, Representatives Jackie Speier and Jared Huffman (on 3 March) introduced legislation to appropriate fishery disaster financial relief to the fleet. It's especially critical to get this bill (the "Crab Emergency Disaster Assistance Act of 2016 (H.R. 4711)") rolling as these same fishermen are facing another even crappier salmon season in 2016, and likely worse in 2017.

We hope that even this divided Congress will recognize that the salmon and crab fleet in California is exactly the type of small businesses and middle class members that their prospective leaders talk about on the campaign trail night in and night out. Here's a real opportunity to prove that our elected officials care about those constituencies.

#### 2. Support Efforts to Restore Klamath Salmon

In the face of repeated Congressional refusals to endorse the Klamath Settlement, Klamath dam removals will now proceed entirely without Congress, through the regular Federal Energy Regulatory Commission (FERC) process, because the four Klamath dams are financially obsolete. The Company (PacifiCorp), which owns the dams, has now agreed to move forward toward their removal through FERC without Congress. This is possible because none of the money required for dam removal



will be federal money, and these dams are privately, not publically, owned.

Now that Congress isn't a necessary part of Klamath dam removals, which was the most controversial part of the Klamath Settlement, Congress should now support other Klamath Settlement efforts to eliminate the many water conflicts that still plague the basin. This includes benefiting salmon fishery economies by repairing damaged salmon habitat and stabilizing the agricultural sector by making the major water reforms that are necessary to bring the irrigation withdrawal systems into line with actual rainfall while meeting the in-river water needs of one of the nation's most economically important salmon runs, once the third-largest salmon runs in the continental US.

The water reform and watershed restoration components of the Klamath Settlement, still embodied in the "Klamath Basin Restoration Agreement (KBRA)" are still before Congress and should be not only be endorsed by Congress but fully funded. Doing so would restore thousands of jobs to Klamath-driven coastal fisheries and agricultural communities.

### **3. Pass Meaningful, Inclusive, Bipartisan and Precedent-Setting Drought Relief Legislation**

California is in a perpetual drought. Even in wet years, water demand is three times supply.

Yet we continue to fantasize that most of our water needs can be met by extracting more water from the San Francisco Bay-Delta Estuary. Meanwhile the Delta is on the verge of failing as a functional estuary because we're already drawing probably 50 percent more from it than it needs to survive.

The attempts to deal with these problems, so far, have mostly prioritized water exports for industrial irrigators in the San Joaquin Valley at the expense of salmon and fisheries in the Sacramento River. (See H.R. 2898 and S. 2533 for current examples of bad bills). Instead, a good drought bill might:

- a. Enforce mandates on and fund the expedited development of flow criteria for the Delta: throughflows necessary for it to function as an estuary, and to support robust populations of salmon, steelhead, sturgeon, striped bass, and in the Bay, halibut, oysters, and herring, among others. Establish through-Delta flow standards consistent with these criteria and do not allow water exports that would violate those standards.
- b. Increasing funding for the investigation into non-flow related means of increasing the survival of naturally produced fish in the Central Valley, including but not limited to effective fish screens at major diversion points and volitional rearing in rice paddies, with the caveat that these are not alternatives to adequate Delta flows.
- c. Establish a fund to assist metropolitan and agricultural communities in developing long-term water recycling infrastructure, including purple-pipe systems and solar desalination. Carefully monitor existing solar de-salinization programs, including the pilot program being run by WaterFix; they claim to produce 200 acre-feet per acre per year, for around \$500/acre foot. Encourage learning from

others' experience, i.e., Israel and Australia.

- d. Fund serious efforts to maintain agricultural production with reduced water use, including but not limited to using pipes instead of open ditches; covering large open canals (with solar panels?); increasing use of soil moisture meters with telemetry; and, encouraging high-value, low water-demand crops.
- e. Encourage groundwater recharge whenever and wherever feasible and environmentally safe.
- f. Continue to investigate opportunities for additional storage above or alongside fish anadromy. The three reservoir proposals now being considered – Sites, Temperance Flat, and raising Shasta Dam – are very expensive, come with substantial environmental costs, and together don't add that much to total water supplies. This is discouraging, since we have to assume these are the best three projects to be found – but maybe the issue could be looked at differently. Is it possible that many much smaller new storage sites could be found with better overall cost/benefit ratios? Can we increase regional supply through recycling and solar desalination and reduce demand with efficiency and conservation?

The overall point here is that, if California is to continue to be a successful state, we must either find a lot of new water or learn to live with a lot less. The Delta is a finite and already overdrawn source; to attempt to squeeze more out of it simply kicks the drought problem down the road.

### **4. Tackle Magnuson-Stevens Act Reauthorization With An Eye Toward Fishing Communities**

Congress actually embarked on a MSA reauthorization last year, with the House passing Representative Don Young's H.R. 1335, a partisan bill that rolled back environmental and fish protections and cut into decades of sustainable fisheries progress. The Senate has so far shown no interest in taking up that mantle, although there are rumblings that Senator Marco Rubio could push through an MSA bill he hopes will be seen as a "signature legislative achievement."

But such a bill won't be worth anyone's signature if it is restricted to addressing regional red snapper politics in his home state of Florida. The MSA's beauty is in its bipartisan approach to balancing the fact that fishing is a business that depends entirely on the health of the environment. It's a law that is flexible enough to be useful in each of the eight fishery regions that it covers, while being structured enough to accomplish its goals.

The next era of MSA reauthorization needs to address two items: the increasing body of science that suggests that limiting the fisheries management worldview to stock abundance and fishing restrictions is not enough to protect either fish or fishermen; and the increasingly urgent need to protect small-boat, community-based fishermen and the fishing communities that depend on them.

The ocean operates as one big interconnected system, with impacts to any segment of that system capable of throwing the whole thing out of whack. It makes a lot of sense to us that if



we want to protect the fish we eat, we also need to protect the forage fish they eat. If we want to have fish to bring home, we need to protect the fish's home too.

It is no longer a radical notion that you can't address all of the negative impacts on fish stocks by simply restricting fishing. The Councils and NMFS can't get by on one hammer alone; they need several scalpels and other tools to go after the actual causes of declines in target stock abundance. If onshore pollution is causing declines in forage fish populations that are impacting the survival of a target predator species, why would you penalize fishermen for the pollution? Better to internalize those externalities and let the actual culprits address the problems of their own making.

#### **5. Properly Fund Salmon Restoration and Other Fisheries Protections**

One of the most effective ways to get federal money to on the ground salmon restoration is through the Pacific Coastal Salmon Recovery Fund, administered by NMFS. Since 2000, the PCSRF have awarded states and Tribes a total of over \$1.1 billion. The program has also leveraged over \$1.3 billion in total state in-kind, and other matching, funds. Recent analyses suggest that on average 17 new "green" jobs and \$1.86 million in additional economic activity result for each \$1 million investment of PCSRF and state matching funds.

Congress should be at least doubling its PCSRF annual funding to help speed the recovery of the Pacific Northwest's valuable salmon runs and the economies they support.

#### **6. Defend the ESA, NEPA and Other Foundational Environmental Laws**

In the past several years we have watched literally hundreds of bad bills or "riders" or appropriations funding blocks come out of Congress (particularly the House) that would undercut our basic bedrock environmental laws already on the books.

Congress needs to get its collective head out of the sand and realize that these basic environmental laws are what protect our cities and communities, our industries, our families and our basic food sources from contamination or extinction. Without a healthy environment our economies as well as our communities would collapse. The \$100+ billion/year fishing industry is but one example of an industry dependent upon a healthy environment. There are many others.

Congress should make our environmental laws more effective, perhaps, as well as their enforcement much better funded, but it should not be trying to disable or abolish them altogether. Doing so would be a form of economic suicide.

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