



FISHERMEN'S NEWS

August 2013

The Advocate for the Independent Fisherman

\$3.00



Pacific Coast Federation of Fishermen's Associations

The following article is the opinion of the writers and does not reflect the opinions of Fishermen's News or Philips Publishing Group.

The Fate of the San Joaquin River and You

By Larry Collins, Kalla Hirschbein

Sixty years ago, when state and federal agencies built Friant Dam and dewatered the second largest chinook salmon run in California, it might have seemed like a good idea. Now we know better.

It was a disaster for salmon and salmon fishermen. Nearly 95% of the San Joaquin River's flow was diverted. Sixty miles of river ran dry and the salmon -- one of California's most productive runs -- was wiped out.

Since then, California salmon fishermen have nearly been wiped out as well. We've lost 90% of the fleet. Excessive water diversions and poor water management policies continually undermine salmon populations as clear scientific evidence warns otherwise, and despite laws created to support our fisheries.

Since California fish migrate all the way to Alaska, Oregon and Washington salmon fishermen have been hurt as well by California's short-sighted water policy. It's time to get back to a more balanced management of our rivers.

We have that chance now because of the San Joaquin River Restoration Settlement Agreement (SJRRSA). But, this historic opportunity is floundering because the fish agencies won't get off the dime and reintroduce our spring and fall chinook runs like they are required by law -- and promised -- to do.

It has been more than six years since

we -- salmon fishermen and our allies, like the Natural Resources Defense Council and the Pacific Coast Federation of Fishermen's Associations -- won the SJRRSA that ended an eighteen-year court battle over the dewatering of the San Joaquin River.

The court ruled that fish and salmon management agencies broke fisheries protection laws, and must restore and maintain fish populations in good condition in the main stem of the San Joaquin River below Friant Dam to the confluence of the Merced River, including naturally-reproducing and self-sustaining populations of salmon and other fish.

The resulting San Joaquin River Restoration Program (Restoration Program) was created in 2006 as an extensive multi-agency effort to put enough water back into the river to support fall and spring chinook salmon runs. They promised to restore runs to 40,000 fish.

Under the SJRRSA, these agencies, including the California Department of Fish & Wildlife, Bureau of Reclamation, U.S. Fish & Wildlife Service, National Marine Fisheries Service and the California Department of Water Resources all committed to salmon reintroduction that was required to begin by 2012.

We agreed to give them six years to get started -- more than a reasonable amount of time to study, make initial improvements, get permits, and create a

reintroduction plan for a river that used to be the lifeblood of California Central Valley salmon. But they have not done so. For the implementing agencies not to prioritize achieving this essential goal and not to have used those years to compete the necessary steps for salmon is a fundamental, unacceptable outcome.

For example, by last summer, the National Marine Fisheries Service (NMFS) was required to complete all the necessary permits to reintroduce spring-run chinook. However, out of nowhere, NMFS announced that they would not have the permits completed in time to reintroduce the run by the end of the year, but needed an additional year and a half.

Similarly, last fall the Restoration Program successfully moved over a 150 adult fall run chinook up river where they were able to spawn for the first time in over 60 years! However, agencies then failed to implement a plan to help move the juvenile fish downstream around temporary fish barriers.

Clearly there are communication and coordination problems among these agencies. Reintroduction of salmon has not been a priority. This has to change. We cannot wait any longer. We need our San Joaquin River salmon.

Please do not misunderstand -- the Restoration Program itself is not failing. In fact, the responsible agencies have



made great accomplishments in terms of water supply projects and flood protections for local farmers.

The failure lies in that they are seemingly unable to organize themselves to take the necessary final steps to begin salmon reintroduction. They need to start now because it will take time for the populations to recover, as restoration projects improve conditions in the river. They are failing in their commitments to the fishermen. Now fishermen need to make clear that failure is not acceptable.

The fish belong in that river. What happened to that river is a crime against nature.

The agencies all agreed to the terms of the SJRRSA and to reintroduce salmon. It is not only the moral thing to do -- salmon belong in rivers with water -- it is their legal obligation.

Chinook, or king, salmon is the best food California produces. It is the food of the gods. All we need to do is keep our rivers healthy and get out of the way -- the fish do the rest. The people have a right to clean rivers, and eat the salmon rivers produce.

We can't entirely restore the historic San Joaquin River, but we can bring it, and its salmon, back to life. Reviving the fall and spring chinook salmon runs will help heal the river, relieve pressure on the Sacramento River's salmon, and revive the commercial salmon fishery.

To get the California Department of Fish & Wildlife and the other agencies to put more energy into salmon reintroduction, fishermen need to mobilize and speak up. The size of this season's salmon runs is due in part to all the hard work we have done fighting for more water, more habitat conservation and better hatchery management practices. But let's not pat ourselves on the back and feel like our work is done. Instead, salmon fishermen should use this season as fuel to stay engaged in Sacramento and Washington, and involved with all our state and federal fish agencies. We need to keep forward momentum going and revive the San Joaquin River salmon runs.

The following is a letter signed by many fishermen and sent to the fish and

water agencies to try to get them moving on their obligations to get the San Joaquin River salmon running again:

"We, the undersigned commercial and recreational fishermen, urge you, the responsible natural resource and fish agencies, to act immediately and expeditiously to fulfill your legal obligations under the San Joaquin River Restoration Settlement Agreement, and bring fall and spring chinook salmon runs back to the San Joaquin River.

Prior to the construction of the Friant Dam, the San Joaquin River's fall and spring chinook salmon runs were among the largest on the Pacific coast. Devastating -- and illegal -- water policies dried up the river, wiped out salmon runs and degraded downstream water quality. It took eighteen years of litigation by salmon fishermen and conservation groups, adoption of the San Joaquin River Restoration Settlement Act, and creation of the court-ordered San Joaquin River Restoration Program (SJRRP), but we have felt some optimism that we would once again be able to catch and provide San Joaquin River salmon to California and the nation.

However, we are now deeply concerned that the lack of progress in reintroducing salmon reflects a lack of commitment and is a continuation of the status quo. The implementing fish and water agencies are responsible for restoring and maintaining fish populations in 'good condition' in the main stem of the San Joaquin River below Friant Dam to the confluence of the Merced River, including naturally-reproducing and self-sustaining populations of salmon and other fish. In signing the Settlement Agreement and an MOU with the State of California, you agreed to the terms of the Settlement that required you to reintroduce both spring and fall run chinook salmon by the end of 2012 and to achieve the long term population goals of 30,000 spring run and 10,000 fall run chinook salmon.

Yet despite having six years to prepare, your agencies have failed to live up to this commitment. While we recognize that the SJRRP is behind schedule to construct infrastructure projects,

you have been aware of these delays for years and we are troubled that the SJRRP has not pro-actively developed and implemented existing strategies to reintroduce either of the salmon runs. The successful adult fall run translocation experiment that occurred last November demonstrated that adults can be moved upstream. However, the SJRRP's failure to plan to provide a means for outmigration by juveniles produced by the successful spawning indicates a lack of attention and commitment. We expect much more.

We have done our part and curtailed our fishing seasons. Our active fishing vessel numbers have dropped from the several thousands to the few hundred. From 2008-2009, California's salmon fishery was completely closed for the first time in California's history, with devastating impacts to thousands of men and women whose livelihood depends on the salmon fishery. Reintroduction of California's San Joaquin salmon can bring back lost jobs, infuse our communities with opportunity, and ease pressure from the Sacramento River fall-run -- the only fishable run left out of four that used to make up California's iconic Central Valley salmon fishery.

This fall we expect the SJRRP to meet its obligations under the SJRRSA and reintroduce both fall and spring run salmon. We understand your agencies are in the process of developing a salmon reintroduction plan this early summer. We request that you complete this plan without further delay and provide us a copy. With reasonably good expected returns of fall run chinook salmon to the San Joaquin River system, we request your agencies ensure adults are provided support as necessary to reach their spawning grounds and their offspring are enabled to get out of the system so we have fish to catch three years from now. We also expect you to take steps to complete the necessary permits and release 2013 brood year spring run juveniles into the river in 2014.

This year, when we docked our boats to wait out the mid-season closures, we could not help but remember fishing salmon straight through from April to November in seasons past.



We have borne the brunt of dismal mismanagement of our rivers including destructive water management policies. We have waited for decades to get our salmon back so that our businesses thrive again based on healthy runs of wild salmon.

We hope you, as stewards of our natural resources and leaders of the agencies responsible for bringing back our salmon, will follow through with your obligations as set forth in the San Joaquin River Restoration Settlement Act, and reintroduce salmon this year and bring our salmon back to the San Joaquin River.”

Today’s commercial salmon fishermen are salmon stewards. We have spent decades, and many thousands of

our own dollars, to help support and conserve and rebuild our salmon. We expect the same dedication and effort from our fish agencies, which have both the authority and obligation under the law, to do their part and help us keep our Central Valley salmon thriving.

Salmon fishermen do their part every season. Now we ask you, California Department of Fish & Wildlife, the Bureau of Reclamation, the U.S. Fish & Wildlife Service, California Department of Water Resources, and the National Marine Fisheries Service to do yours: comply with the Restoration Program and bring our salmon back to the San Joaquin River. 🐟

Larry Collins fished commercially for salmon and Dungeness crab for 30 years before he

helped start the San Francisco Community Fishing Association. He is PCFFA Vice-President, President of the San Francisco Crab Boat Owners Association, and as a vocal advocate for maintaining our public trust fisheries resources is regularly sought after for his opinions on Bay Area fisheries issues. Larry can be reached at lcollins@sfcraaboot.com.

Kalla Hirschbein is an independent California attorney specializing in fisheries, water law and policy. She has worked for PCFFA and GGSA on Central Valley salmon issues, and is now helping the Fishermen’s Marketing Association of Bodega Bay form their Community Fishing Association, and is funded by NRDC for her work on the San Joaquin River. She can be reached at kalla.hirschbein@gmail.com.