

California Advisory Committee on Salmon and Steelhead Trout

Report to the Joint Committee on Fisheries and Aquaculture

By:

Dr. Walt Duffy, Chair, California Advisory Committee on Salmon and Steelhead

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Good afternoon Chairman McGuire and members of the Joint Committee on Fisheries and Aquaculture. My name is Walt Duffy, I am emeritus Leader of the California Fish and Wildlife Research Unit and emeritus Professor of Fisheries Biology at Humboldt State University.

I currently represent the California Advisory Committee on Salmon and Steelhead. Trout.

Thank you Mr. Chairman, and all committee members, for allowing me to address you today.

The California Advisory Committee on Salmon and Steelhead Trout was established by the legislature in 1970 to study and analyze facts relating to the preservation, protection, restoration and enhancement of salmon and steelhead trout resources of California, and report its findings to the legislature and to the Director of the California Department of Fish and Wildlife.

Our 10 members, collectively, have:

1. More than 100 years of experience in commercial fishing,
2. More than 100 years experience in fisheries restoration,
3. More than 100 years experience in advocating for salmon and steelhead.
4. More than 100 years of experience in fisheries biology
5. More than 30 years experience in fish and wildlife law enforcement and,
6. Served on more than 50 committees related to salmon and steelhead resources in California.

During the past year:

1. We have contributed to the California Department of Fish and Wildlife's Fishery Restoration Grant Program's process for allocating funding for coastal salmon and steelhead restoration,
2. We also contributed to the process for allocating funding collected under the Department of Fish and Wildlife's steelhead anglers report

- card and,
3. We met quarterly to discuss and investigate issues impacting salmon and steelhead in California.

We wish to highlight three topics worthy of your attention in the near future, water temperature in the Sacramento River, dam removal on the Klamath River, and direction of the steelhead report card and fisheries restoration grant programs.

Sacramento River water temperature and Chinook salmon survival

For the second straight year, almost 95% of juvenile winter-run Chinook salmon appear to have died in the Sacramento River before migrating to the ocean. Losses of these Chinook salmon signal trouble for the state's \$1.4 billion salmon-fishing industry.

These losses are related to California's four-year drought resulting in low reservoir levels throughout the state, but particularly water levels and operations in Shasta and Trinity Reservoirs.

Despite approval of a Temporary Urgency Change Petition submitted by the Bureau of Reclamation (BOR) and California Department of Water Resources (DWR) to the State Water Resources Control Board (WRCB) specifically to conserve cold water for salmon, BOR ran out of cold water in Shasta Reservoir in 2014 and 2015, resulting in the massive mortality of juvenile salmon and eggs in the Sacramento River. In 2015, the mortality was predicted by environmental groups in the spring as a result of moving too much water from storage to the Delta pumps, but regulatory and trustee agencies did little to stop the tragedy.

For decades, the Bureau of Reclamation has stated that they need cold, clean Trinity River water to be diverted to the Sacramento River for the benefit of winter run Chinook salmon. However, the reality is that the movement of water from the Trinity River to the Sacramento River through Whiskeytown Reservoir in summer months results in substantial heating of the Sacramento River. A temperature curtain in Whiskeytown Reservoir has been inoperable for several years, exacerbating the problem of excessive heating of Trinity water as it moves through that reservoir.

One reason that BOR diverts so much Trinity River water to the Sacramento River during drought is that the Central Valley Project (CVP), Sacramento River Water Right Settlement Contractors have a contract for more water than can be provided from Shasta Reservoir alone. Thus, Trinity River water is needed to meet BOR's contractual commitments to these water contractors who still receive substantial deliveries during drought, when other CVP contractors receive zero allocations.

In addition, the WRCB has ordered BOR to achieve certain carryover storage levels in Shasta and Folsom Reservoirs, but nothing in Trinity Reservoir, which could result in Trinity Reservoir running out of cold water. Trinity Reservoir has the lowest refill potential of the three reservoirs and should also have minimum carryover storage established through water permit terms and conditions.

If salmon in the Sacramento and Trinity Rivers are to survive, the following will be necessary:

1. Larger cuts to Sacramento River Water Right Settlement Contractors than has historically been the case during extreme drought and low reservoir storage. The WRCB should do its job and order Reclamation to cut back on those deliveries to conserve the cold water pools in Shasta and Trinity Reservoirs for salmon survival.
2. Trinity River diversions to the Sacramento River should be minimal during summer months to conserve cold water in Trinity Reservoir and minimize heating of the Sacramento River.
3. If the temperature control device at Shasta Dam is “leaking”, then the WRCB and National Marine Fisheries Service should order Shasta Dam power plant bypasses to access cold water.
4. Establish through water permit terms and conditions, minimum cold water carryover storage requirements in Shasta, Trinity and Folsom Reservoirs to ensure adequate temperatures for salmon during extended drought.

Klamath River Dam Removal

The Klamath River was one the third most productive salmon river on the west coast. Numbers of salmon and steelhead returning to this river are now a fraction of historic abundance. The decline in abundance of salmon and steelhead in the Klamath River is widely recognized as the result of the construction of four dams that block these anadromous fish from accessing roughly half of the basin along with water quality problems associated with the dams.

More than four dozen stakeholders worked a decade to reach agreements that would remove these dams and were developed to resolve long-standing, complex, and intractable conflicts over natural resources in the Klamath Basin. These agreements include the Klamath Hydroelectric Settlement Agreement (KHSA) and two related agreements—the Klamath Basin Restoration Agreement (KBRA) and the Upper Klamath Basin Comprehensive Agreement (UKBCA)—These agreements, however, require congressional authorization to be fully implemented as contemplated. To date, Congress has not enacted authorizing legislation. As a result, the KBRA expired on December 31, 2015. The KHSA and UKBCA did not expire and remain in effect.

On February 2, 2016, the States of California and Oregon, the U. S. Department of Interior, U. S. Department of Commerce and PacifiCorp signed an Agreement in Principle stating they intend to work with the parties to the Klamath Hydroelectric Settlement Agreement (KHSA) to develop amendments to the KHSA that would facilitate the removal of four main-stem Klamath River hydroelectric facilities—Copco No. 1, Copco No. 2, J.C. Boyle, and Iron Gate, through the existing authority of the Federal Energy Regulatory Commission (FERC) under the Federal Power Act.

The California Advisory Committee on Salmon and Steelhead thanks Resources Secretary Laird and Fish and Wildlife Director Bonham for their commitment to and work on Klamath River dam removal. We also respectfully request that the Joint Committee on Fisheries and Aquaculture support the signatories to this Agreement in Principle in their efforts to achieve dam removal on the Klamath River.

Direction of the steelhead report card and fisheries restoration grant programs.

The Committee has some concerns over the direction of steelhead report card and fisheries restoration grant programs. These concerns revolve around the allocation of funding generated by the steelhead card program and the expanded geographic scope of the fisheries restoration grant program. However, we are engaged in discussions aimed at resolving these concerns and will report to the Joint Committee at a later date.