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**Testimony of**

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Executive Director**

**Pacific Coast Federation of Fishermen's Associations**

**To the**

**Assembly Water, Parks & Wildlife Committee**

**on**

**California Salmon Crisis:**

**Understanding the Severity of the Crisis and the State's Role in Recovery**

**State Capitol, Sacramento**

**10 March 2009**

Good Morning Chairman Huffman, members of the committee. My name is Zeke Grader and I am the Executive Director of the Pacific Coast Federation of Fishermen's Associations (PCFFA) which represents working men and women in the west coast commercial fishing fleet. Among others, PCFFA represents nearly all of California's organized commercial salmon fishermen and have members in Oregon and Washington as well. PCFFA is the largest commercial fishermen's organization along the U.S. west coast. Fishermen belonging to PCFFA member organizations are engaged a number of different fisheries using different gear types, but salmon has remained the primary fishery for most. So the closures they have suffered this decade, the total closure last year and expected total closure this year have been devastating.

Before getting into my testimony, let me introduce myself since I am as stranger to most of you thanks to term limits. I have served as PCFFA Executive Director since 1976, joining the

newly formed organization following graduation from law school and passing the Bar. I was no stranger to the members or the issues, however. I was raised in the fishing industry on the North Coast packing salmon in the summer and working part time the rest of the year in fish processing plants while in high school and college and managing a fish processing plant while in law school. My father was a fish processor and a founding member of Salmon Unlimited, an organization formed to combat salmon losses following the closure of the century old salmon net fishery on San Francisco Bay and the Delta. He later served as Deputy Resources Secretary in the Pat Brown Administration and was appointed the first chair of the California Citizen's Advisory Committee on Salmon & Steelhead Trout (1970-1975), after that group was established by the Legislature in 1969. Salmon were not just on the dinner table in my home, but the source of dinner table conversation.

I served as the first chair of Pacific Fishery Management Council's Salmon Advisory Subpanel and served for a time in the 1980's on California's Citizen's Advisory Committee on Salmon & Steelhead after that group was reestablished in 1984. Additionally, I have assisted a number of the officers in my association who have served on various water committees whose actions would affect salmon production in the Central Valley system, which in recent history has accounted for about 90 percent of the state's total salmon production, as well as over 50 percent of salmon caught in the ocean off Oregon and Washington in many years. Those committees include the old Delta Environmental Advisory Committee (DEAC), the Bay-Delta Advisory Committee and, most recently, I participated in Delta Vision until it became apparent the agenda was to push a peripheral canal, or "dual-conveyance" facility, that would destroy the salmon fishery. We were also active in forest planning issues in Northern California, which examined key salmon watersheds, following President Clinton's 1993 forest summit.

In my 33 years with PCFFA I have witnessed our salmon fishery decline from nearly 6,000 active vessels in California - employing at-sea and onshore thousands of people - to a fleet of roughly 600 boats in the state. We witnessed record ocean landings of more than 14 million pounds of chinook in the commercial fishery in 1988, along with a healthy recreational fishery and good returns to the rivers that same year, to a total closure, for the first time in history, last year. Depending what comes out of Seattle this week from the Pacific Council in the way of options, another total closure is expected again this year.

You will undoubtedly hear of the myriad of problems facing salmon, from impediments to passage, to unscreened diversions, to lack of shallow water habitat, to predation by invasive species, to hatchery practices, to, most recently, poor ocean conditions and climate change. The number and scope of the problems appears daunting and there has been no shortage of hand-wringing over it. But if we are to be serious about rebuilding our salmon populations and I believe we can - to numbers approximating 20 to 30 millions pounds of production of chinook annually (which would make California the leading producer of that species of Pacific salmon) - then we must get out of panic mode and take a clear view and develop a step-by-step plan for restoring these fish.

I suppose looking at what has happened on my watch to salmon over the past 33 years, salmon and fishermen might be best served by my resigning in failure and putting that bullet through my head that I suggested for CALFED. But what is clear looking at our salmon over the past 33 years, and indeed going back to the completion of the first units of the Central Valley Project, is that salmon need water. "Fish gotta swim" as Oscar Hammerstein told us when some of the first plans for a massive water program were advanced by the state in the late 1920's. So I've stayed on, my members have kept their boats, knowing and hopeful that salmon populations can be rebuilt; we're not about to quit.

As you know, when you build a house, you follow a plan. You don't fret about the brand of appliances, the color of the interior walls or the carpet without first doing the basics – laying down a foundation, framing and putting on a roof. It's really no different in rebuilding salmon populations. The first thing that's needed is the foundation. Without that nothing else matters. The foundation for rebuilding our salmon stocks in California is making sure there are adequate flows of good quality water so the fish can safely travel from the redds from where they were spawned, downriver – in the case of Central Valley stocks, through the Delta – and to the ocean to return 3 or 4 or even 7 years later to their natal streams to spawn and die and begin the cycle anew.

This is readily apparent in the Central Valley system. In years of high outflow, such as the spring floods of 1986, we saw record levels of Central Valley salmon production in the summer and fall of 1988. In years of low outflow – usually a combination of dry years and high levels of Delta pumping, the runs decline dramatically. This is what happened in 1990 – 1992 and we saw it again last year and this year when high levels of Delta pumping beginning around 2004 apparently took their toll. I'm not saying that ocean conditions were not a factor, but we've survived poor ocean conditions in the past with nowhere near the level of decline we've sent with Central Valley stocks. What the ocean conditions did, in reality, is unmask the problems in the rivers and Delta that may not have been as apparent when ocean conditions were optimal for salmon survival.

I am emphasizing here the Central Valley chinook – namely the fall-run, because without them there is not much of a fishery left for California, or even Oregon. The Delta is key to Central Valley chinook production. If the fish cannot survive, can not safely pass through the Delta on their downstream migration to the sea, or cannot make it back from the sea through the Delta to their natal Sierra streams, then it doesn't matter much what we do upstream in the way of fish passage, screening pumps, replanting riparian vegetation or dumping gravel (for redds). Likewise there's no sense fretting about ocean conditions or climate change if the baby salmon can't even get to the ocean.

Rebuilding salmon means fixing the Delta. It's that simple. This means there have to be adequate flows at the critical times of year to get the fish past the pumps and on a westward (not southward) migration to the Bay and Delta. It means pumping will have to be curtailed. It means there has to be adequate freshwater inflow through the Delta and to the Bay. This water is not being “wasted to the sea.” The Bay-Delta estuary – the largest on the west coast of North and South America, evolved around fresh water inflow to mix with seawater creating the rich brackish water critical to the life and health of an estuary and all the fish and wildlife these ecosystems support.

The quantity of water is absolutely critical for these fish and for that reason science-based minimum flows have to be established. Nor can water quality be ignored. Two decades of agricultural waivers from meeting water quality standards for the Delta is too long. If agriculture needs help in developing means to meet water quality – not just getting waivers – then let's provide them that assistance. If municipal dischargers need help meeting water quality standards for discharges, let's help them. But the help is to fix the problem, to meet tough water quality standards, not evade them.

Once passage of the fish through the Delta is achieved we can begin the next steps in rebuilding, creation of Delta shallow water habitats, removing dams at Battle Creek (all seven), on the Yuba and elsewhere, lifting the gates at Red Bluff, reestablishing riparian habitat and

spawning gravels, screening the remaining diversions that pose problems for the fish, putting in place a genetics-based hatchery programs to fully mitigate for losses from dam operations. Before any of that will do any good, however, the Delta has to be fixed.

Now some have proposed the peripheral canal or some variation on it. While I first came to Sacramento 33 years ago with instructions to work for passage of a peripheral canal – at that time an alternate to a series of barriers that would have killed off the salmon and destroyed the Delta as an estuary – it became apparent in the intervening years that such a canal would likely destroy both salmon and the estuary. That is because a canal is proposed to do one thing only, increase or at least hold stable the current level of diversions. While increasing water quality to the recipients of the flow, it would diminish water quality in the Delta – thereby resulting in less water and of poor quality for the fish. Moreover, a screen still has not been developed that can successfully protect downstream salmon from entrainment in such a facility.

I recognize that curtailing Delta exports will have impacts on the rest of the state. However, it is not as if we didn't know there were problems in the Delta and that excessive levels of exports were harming both fish and the Delta ecosystem for a long, long time. This current salmon crisis is a good time to review state water policy regarding dependence on the Delta. That means looking for ways and technologies to better conserve and more efficiently use our water resources, it means water recycling and reuse, it means capturing and storing groundwater, and I'd say, it means putting money into research and development for green desalination technology.

Finally, let me touch just briefly on two other systems. We are mildly optimistic about the Klamath. With the removal of the four PacifiCorp dams and improvements to water quality the foundation will have been laid for rebuilding the third largest salmon producing river on the West Coast. Our biggest concern is the time-line for dam removal. We think 20 years is far too long, and an aggressive program is needed to speed that process.

Of course rebuilding Central Valley chinook populations or the salmon of the Klamath won't do much good unless some attention is paid our coastal streams producing coho and coastal chinook runs. Like the Delta, the main impediment is water. Here it is a matter of both ensuring there are adequate fish flows and, second, preventing that water from being poached, whether it's by a boutique winery or a marijuana grower. For our coastal salmon populations, perhaps the first thing needing done is to enforce water rights on these streams.

Finally, let me add that we also need federal cooperation. The Bureau of Reclamation has to be a party and willing to participate in rebuilding and the U.S. EPA has to be vigilant about water quality. It is also time we had someone at the federal level who is capable of salmon rebuilding all along the Pacific happen. Yesterday a coalition of 78 organizations sent a letter to President Obama requesting his appointment of a White House level "Salmon Director." I have brought you copies of that letter and hope it can be something you will support.

Thank you again for the opportunity to testify and I'll be glad to answer any questions.