

PACIFIC FISHERY MANAGEMENT COUNCIL

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FILE

EXECUTIVE DIRECTOR

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Robert C. Fletcher

April 22, 1997

The Honorable John Garamendi
Deputy Secretary of the Interior
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Deputy Secretary Garamendi:

The Pacific Fishery Management Council (Council) has responsibility for developing management plans for the fisheries occurring offshore of California, Oregon, and Washington. In recent years, this Council has been forced to implement restrictive measures in the ocean salmon fishery, costing millions of dollars in lost jobs, food production, and recreational opportunity due to declining salmon populations. The salmon declines came about in large part due to inland habitat losses, including those associated with dams and water diversions.

We are concerned that the Department of Interior has not made the decisions necessary to fully implement the Central Valley Project Improvement Act (CVPIA), including adoption of the Anadromous Fish Restoration Program, Delta Flow and Habitat Objectives using CVPIA tools [Section 3406(b)(1)(B), (b)(2), (b)(3)]. The Act identified these actions were to be implemented in 1995 to assure the protection of fish and wildlife, and to double the natural spawning production of anadromous fish in the Central Valley rivers system by the year 2002.

Specifically, this Council, which has management responsibility for the West Coast salmon fishery, urges the Bureau of Reclamation to commit the water called for under the CVPIA's Anadromous Fish Restoration Program's nine action items for the maintenance and recovery of Central Valley salmon stocks. While fish and wildlife have not been provided their full water allocation, in contrast the Bureau has committed to providing full deliveries to all Central Valley Project contractors (except for the west side of the San Joaquin, the area where land is slated to be taken out of irrigated agriculture production because of toxicity problems). Congress was clear in the 1992 passage of the CVPIA that fish and wildlife were to be given equal consideration in the use of water from the federal project. We are concerned that undue belaboring of scientific uncertainty in the CVPIA process is being used instead of proceeding in an adaptive management way, the results of which is the lack of expedient implementation of the law.

As provided under 16 USC 1855, this Council requests that the Department of the Interior be attentive to that section of the Act which requires equal consideration for fish and wildlife in its annual water supply decisions, and take the necessary steps to assure that the annual allocation of up to 800,000 acre-feet, designated by Congress for fish and wildlife, is delivered on a schedule that meets fish and wildlife needs.

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In related water management activities, specific provisions of Section 3406(b)(23) of the CVPIA called for permanent operations constraints and procedures for the Trinity River by December 31, 1996. As you are aware, delays in completion of the U.S. Fish and Wildlife Service 12-year flow study have precluded the Secretary of Interior from meeting mandates of the CVPIA with regard to Trinity River flows and National Environmental Policy Act compliance, currently scheduled for November 1997. Further, the Congressionally mandated Trinity River Restoration Program (PL 104-143) clearly established the goal of restoring Trinity River fish and wildlife natural populations to levels that existed prior to construction of the Trinity River division of the CVP. Accordingly, specific pre-project levels of natural salmonid production have been established and differ from CVPIA goals of doubling production.

We encourage you to make the decisions on fish and wildlife flows and initiate the adaptive management approach necessary to achieve fish and wildlife goals in a timely manner.

Sincerely,


Robert C. Fletcher
Chair

- c. Ms. Kathleen McGinty, White House Council on Environmental Quality
Mr. Michael Spear, Regional Director, U.S. Fish & Wildlife Service
Mr. Roger Patterson, Regional Director Mid-Pacific Region, U.S. Bureau of Reclamation