

HABITAT COMMITTEE REPORT ON HABITAT ISSUES

This Supplemental Habitat Committee (HC) Report focuses on California water issues and key recent regulations, policies, and anticipated changes to federal and state water operations in California.

Executive Summary and Recommendation

At the September 2025 Pacific Fishery Management Council (Council) meeting, the Council tasked the HC with providing a status update on California water issues, including potential changes to the California Central Valley Project (CVP) long-term operations plan. The scope of this report is limited to recent or anticipated policy and operational changes, without an in-depth analysis of impacts to Council-managed salmon. This report includes summaries of the following topics: Contradictions between Executive Orders; CVP and State Water Project Long-Term Operations; the Bay Delta Water Quality Control Plan; proposal for Sites Reservoir; proposal for the Delta Conveyance Project; Klamath River dam removals; conditions on the Trinity River; proposed Eel River dam removals; regulations on Lake/ Streambed Alterations; and California Governor Newsom's Salmon Strategy. While some projects will likely contribute to improved salmon habitat, a consistent theme of most of the projects discussed is to maximize water delivery to regions south of the Bay-Delta, primarily for agriculture, and to maximize water storage in reservoirs. These proposed operational changes are likely to have deleterious effects on freshwater habitats across the region and impose higher risks for salmon survival. **The HC recommends requesting briefings from Bureau of Reclamation (BOR), National Marine Fisheries Service (NMFS), and the State Water Resources Control Board (SWRCB) at a future Council meeting, describing pending changes to water management in California and the implications of these changes on salmon habitat and salmon stocks.**

Introduction

California water policy and operations are scientifically complex, affect many different user groups and ecosystems, can be politically driven, and are managed under extensive environmental regulations. Stakeholder interests include multiple federal and state agencies, competing industrial and municipal needs, commercial and recreational fishing, tribal and cultural resources. Compiling an accurate and comprehensive update to California water projects has been a particularly difficult task due to agency policy changes resulting from compliance with Executive Orders, reduced capacity at many federal agencies, diminished transparency and opportunities for public comment, and the speed with which many operations are implemented. Due to the ongoing federal shutdown, federal employees were unable to contribute to this report.

Contradictions between Executive Orders

We note the direct conflict between Executive Orders 14276 and 14181. "Restoring American Seafood Competitiveness" ([E.O. 14276](#), April 17, 2025) directs federal agencies to reduce burdens on domestic fishing and to increase production. "Emergency Measures To Provide Water Resources in California and Improve Disaster Response in Certain Areas" ([E.O. 14181](#), Jan 24, 2025) directs the BOR to maximize water delivery, superseding the authority of the California

Department of Water Resources, if necessary. There is no guidance in either E.O. on how agencies should address the inherent contradictions.

Central Valley Project (CVP) and State Water Project

In December 2024, BOR issued a [Record of Decision](#) (ROD) for the Long-Term Operation (LTO) of the CVP and State Water Project (SWP). NMFS and U.S. Fish and Wildlife Service (USFWS) issued [Biological Opinions](#) (BiOp) that found “No Jeopardy” for species of concern in the LTO, including winter-run Chinook, spring-run Chinook, and Southern Resident killer whale, all relevant to Council-managed ocean salmon fisheries. Notably, Central Valley fall-run Chinook were not analyzed in this BiOp, as they are not listed under the Endangered Species Act (ESA).

On September 9, 2025, the BOR held a [quarterly meeting](#) to provide an update on the LTO of the CVP. BOR plans to comply with E.O. 14181 (Emergency Measures to Provide Water Resources in California and Improve Disaster Response in Certain Areas) while staying within NMFS guidance for the 2024 BiOp. Revised operations are expected to deliver up to 400,000 acre-feet annually of additional water to southern California agriculture districts. (Annual averages are ~5 million acre feet [MAF], maximum is 8.7 MAF). The HC notes there may be inconsistencies between the 2024 ROD and E.O. 14181, although the HC has not had the opportunity to conduct a detailed evaluation.

Major changes to operations are referred to as Action 5 and include:

1. Removal of Fall X2 requirements
2. Remove early implementation of delta export reduction
3. Revise entrainment management
4. Revised governance and adaptive management
5. Adaptive management of the National Environmental Policy Act (NEPA)

Details of these major changes were included in the [September 2025 HC report](#).

There are [some indications](#) that CVP water operations in 2026-2027 will further increase water deliveries south of the Bay-Delta. “Initiative 6” includes changes to [D-1641](#), Shasta Reservoir storage requirements, fish population estimates and targets, and ESA compliance. There is very little information publicly available on proposed changes.

While drafting this HC report, the National Academy of Sciences released a [Review of the Long-Term Operations of the Central Valley Project and the State Water Project](#). This report identifies a number of overarching issues that include the need to: (1) enhance collaborative science to improve the pace and effectiveness of Bay-Delta watershed science efforts that inform management actions; (2) enhance the modeling enterprise; and (3) more strongly consider how changes in climate impact drivers will affect long-term operations. The HC has not had the opportunity to review the report in detail.

Bay-Delta Plan Update and Healthy Rivers and Landscapes Program

In July 2025, SWRCB issued a draft [update to the Bay-Delta Water Quality Control Plan](#), aimed at restoring ecosystem health and improving water supply reliability. This includes the “Healthy

Rivers and Landscapes (HRL) Program,” also known as Voluntary Agreements (VAs). The Council sent a [letter](#) to the BOR about proposed VAs in November 2024, expressing concern that VAs are not reasonably certain to occur and should not be relied on as mitigation measures in the proposed action.

Under the HRL program, there are two compliance paths for water users: one of participation in voluntary agreements under the HRL, which may include habitat restoration and flow commitments, and another regulatory pathway for those who do not participate.

In September 2025, SWRCB [rescinded](#) all notices of public comment and workshops related to the Bay-Delta Plan. SWRCB anticipates a limited recirculation of the draft Plan of Sacramento/Delta updates, along with a staff report in December 2025. New dates for a public hearing and comment period will be announced following the updated draft Plan.

Sites Reservoir Project

The HC [reported](#) to the Council about Sites Reservoir in June 2022. Sites Reservoir is a proposed off stream reservoir project west of Colusa in the Sacramento Valley of northern California to be built and operated by the Sites Project Authority (Authority). The project would divert water from the Sacramento River upstream of the Sacramento–San Joaquin River Delta through existing canals to a new reservoir 14 miles (23 km) away. Annual yield would depend on precipitation and environmental restrictions. The [latest official cost estimate](#) of the Project is \$6.8 billion.

In late 2024, the Sites Project Authority received two Incidental Take Permits (ITPs) from California Department of Fish and Wildlife (CDFW), authorizing the Authority to build and operate Sites Reservoir in compliance with California’s endangered species laws. The ITPs require the Authority to mitigate any potential impacts to the state’s endangered and threatened species throughout construction and operation. In July 2025, USFWS issued a [biological opinion](#) and CDFW issued a [Streambed Alteration Agreement](#) (see “Regulations on Streambed Alteration below), two regulatory hurdles which are key to allowing Sites Reservoir to move forward.

SWRCB held administrative hearings throughout 2025 for water right applications and terms and conditions to be included in any approvals. Rulings on these hearings are still pending. The water right application is the last major regulatory hurdle before construction can begin on the Project.

Delta Conveyance Project

The Delta Conveyance Project is California’s latest attempt to retrofit the infrastructure that pulls water from Northern California to water users in Southern California. Currently, there is a set of pumps near Tracy and Stockton, California that draw water from the Sacramento-San Joaquin Delta and move it into aqueducts that provide water to CVP and SWP. This project would create a 45-mile tunnel to divert up to 6,000 cfs of Sacramento River water to Bethany Reservoir. The intake for this tunnel is further upstream in the north section of the Delta than any of the existing diversion points. The current proposal is to collect this water for storage in the wet season. This would reduce the proportional impact on the Sacramento River downstream. It also provides the water projects with more secure access to fresh water, as the current system can move the saltwater lens all the way up to the pumping stations if flows are low and pumping rates are high to meet

project demand. In these instances, the project delivers brackish water that is far less desirable. With the continued shift in the volume and pattern of precipitation, the brackish water problem is anticipated to become more frequent within the existing system. If implemented, these changes would remove a physical limitation on pumping fresh water for irrigation and would allow for greater impacts to salmon, including low-flow conditions on the lower Sacramento River, higher temperatures, and other deleterious habitat effects. The state Department of Water Resources submitted its certification for the Delta Conveyance Project to SWRCB on Oct. 17, 2025.

Klamath River dam removal updates

The Klamath Dam removals have had a number of positive outcomes in the biological responses to dam removal. Chinook salmon have passed Keno and Link dams and have been found in Upper Klamath Lake and in the Williamson River upstream of the lake. The annelid worms that are the intermediary host for the parasite *Ceratonova shasta* are greatly reduced in large sections of the river. The incidence of *C. shasta* in fish and the spore counts were also down relative to previous years ([Oregon State University Fish Pathogen Lab](#)).

In January 2025, [E.O. 14148](#) (Initial Rescissions of Harmful Executive Orders and Actions) was issued, revoking numerous existing E.O.s. Based on the E.O., the Department of Interior determined that water users' contracts as non-discretionary, which puts deliveries for agriculture at a higher priority than ESA or Tribal Trust needs. This decision reduces the discretion that BOR has to allocate water to irrigation or the environment in the Klamath, which essentially places all risk on the environment. In addition, it appears that BOR intends to manage the Klamath Project as if the proposed [rulemaking](#) to rescind the definition of "harm" in the ESA regulations had been finalized ("harm" includes habitat modification). Currently, the Klamath Area Office BOR staff are drafting an interim operations plan that meets only the minimum requirements of the current BiOps. This plan is expected to focus on minimum flow thresholds and reallocate variable flows used to manage disease and improve environmental conditions to irrigation via the Klamath Project. Once finalized, this plan will likely be the subject of litigation.

Trinity River conditions

BOR, along with joint leads, the Hoopa Valley and Yurok Tribes, is working to reinstate consultation for the Trinity River Division. A draft Biological Assessment is anticipated for review by cooperating agencies by the end of 2025. Once that review is complete, it will be released for public review and comment. A proposed action has not been selected at this time as much of the biological analysis is still underway. Once the Trinity River Division Supplemental Environmental Impact Statement (SEIS) is complete, it must be coordinated with the 2024 LTO of the CVP BiOp; any changes to the LTO that arise from the Trinity River Division BiOp will be addressed at that point. A new SEIS for the CVP and SWP LTO is anticipated for mid-2026. The public comment window for the Trinity River Division SEIS is likely to occur between December 2025 and February 2026.

Changes in the Eel River System

The Potter Valley Project (PVP) includes two dams (Scott Dam and Cape Horn Dam) on the Upper Eel River, Pacific Gas and Electric (PG&E) power generation infrastructure, and a tunnel to divert "abandoned water" from power generation to the North Branch of the Russian River. Power

generation ceased in 2021 and Scott Dam has been deemed seismically unsafe. Because the PVP is no longer economically feasible, PG&E submitted its [Final License Surrender Application](#) (LSA) to the Federal Energy Regulatory Commission (FERC) in June 2025. The LSA details removal of the two dams and a Non-Project Use of Project Lands (NPUPL) request to permit a new water diversion facility, the New Eel-Russian Facility (NERF), using parts of the existing infrastructure. FERC has opened public comment period on the LSA until December 1, 2025. FERC will also conduct its own NEPA review.

The Eel-Russian Project Authority (ERPA) has been formed by local agencies and tribes to construct, operate, and maintain the NERF. In July 2025, state and local agencies, Round Valley Indian Tribes (RVIT), and non-governmental organization partners signed a [Water Diversion Agreement for the New Eel-Russian Facility](#). This agreement transfers PVP water rights to RVIT and includes proposed diversion rules for operation of NERF, as well as funding for NERF (\$9 million) and Eel River Restoration Fund (\$9 million).

Dam removal will undoubtedly have impacts on the Eel River ecosystem. An estimated 20 million cubic yards of sediment are trapped behind Scott Dam; dam drawdown and removal must be timed to minimize deleterious impacts. Lake Pillsbury, which is impounded by Scott Dam, harbors invasive pikeminnow, which are major predators of juvenile salmon. Eradication or abatement efforts may accompany dam removal. During the decommissioning process, Minimum Instream Temporary Flow amendments are likely to continue in order to manage temperatures in the Eel River.

Regulations on Lake/Streambed Alteration

In July 2025, new regulations authorizing CDFW to suspend or revoke Lake and Streambed Alteration (LSA) Agreements ([Section 723 Title 14 CCR](#)) went into effect. When projects and activities requiring LSA Agreements are not in compliance, CDFW may suspend or revoke Agreements without involving the Attorney General or public court system. This new regulation allows CDFW to reduce the lag between potential environmental harm and agency response.

Governor Newsom's Salmon Strategy

In response to mounting threats posed by climate change to California's native salmon populations, Governor Gavin Newsom launched the state's first comprehensive salmon recovery plan in January 2024: [California Salmon Strategy for a Hotter, Drier Future](#). This initiative outlines a science-based roadmap to reverse salmon declines, restore critical habitats, and strengthen the resilience of salmon ecosystems in the face of a warming and drier climate.

The strategy centers on 71 projects in six key priorities: (1) removing barriers to salmon migration, such as obsolete dams; (2) restoring natural habitat, including floodplains, wetlands, and tributaries; (3) improving water flow timing and volume to support critical salmon life stages; (4) modernizing hatchery infrastructure to increase climate resilience; (5) enhancing monitoring and adaptive management through new technology and data systems; and (6) strengthening partnerships with Tribes, local communities, and conservation groups.

By March 2025, the [state's progress report on the California Salmon Strategy for a Hotter, Drier Future](#) showed meaningful progress in many areas: habitat restorations, barrier removals, hatchery

upgrades, and improved monitoring infrastructure. However, salmon returns—the 2024 Sacramento fall-run Chinook in particular—remain well below management targets.

Continued funding of the Salmon Strategy remains necessary but is not sufficient. There are few policy directives in the Salmon Strategy that directly address flow protection, diversion limits, and inter-agency alignment, particularly with recent federal water policy changes.

Conclusions and Recommendations

This report identifies several projects and strategies that will likely contribute to improved salmonid habitat, including restored habitat on the Klamath River, dam removals on the Eel River, and the potential of the California Salmon Strategy. The majority of anticipated changes presented here, however, are large-scale water diversions, water storage projects, and water management policies that are likely to result in wide-ranging adverse effects on salmon. The HC is deeply concerned that deterioration of critical water quality measures, specifically temperature, salinity, and flow, will cause further harm to freshwater habitats that are crucial for salmon survival. **The HC recommends requesting briefings from BOR, NMFS, and the SWRCB at a future Council meeting, describing pending changes to water management in California and the implications of these changes on salmon habitat and salmon stocks.** The Council could then task the HC with writing a letter to BOR, NMFS, and the California SWRCB describing potential harm to Pacific salmon within the Council’s jurisdiction.

PFMC
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