

Committee on Resources

Subcommittee on Fisheries Conservation, Wildlife and Oceans

Statement

**Testimony of Pacific Coast Federation of
Fishermen's Associations (PCFFA)
to the
House Resources Committee,
Subcommittee on Fisheries Conservation, Wildlife and Oceans
Re: H.R. 2798 (Salmon Restoration Funding)**

**May 18, 2000
Washington, DC**

Thank you for the opportunity to testify on this very important issue of salmon restoration funding -- a subject that means life or death to many west coast fishing-dependent communities. My name is Glen Spain, and I am the Northwest Regional Director of the Pacific Coast Federation of Fishermen's Associations (PCFFA). We are commercial fishermen and women, working in America's oldest industry. Our members provide this country with one of its most important and highest quality food resources and a major source of exports, and our efforts provide tens of thousands of jobs in coastal communities supported by the bounty of the sea.

PCFFA is the west coast's largest organization of commercial fishermen and fishing families, representing the interests of small and mid-sized family-owned commercial fishing operations working and living in ports from San Diego to Alaska. We are a federation of 25 different port and vessel owners organizations coastwide, representing several thousand fishing families with a combined vessel asset investment in excess of \$1 billion.⁽¹⁾

Fishermen are family food providers, but in order to be able to produce high quality seafood and maintain thousands of jobs in coastal communities, we need something to catch! Most of our people are now, or have been, salmon fishermen. However, every year for decades now there have been fewer and fewer fish coming out of damaged west coast watersheds. Widespread habitat loss and the destruction wrought by the multitude of west coast dams, many no longer cost effective or even needed, has now pushed many once abundant wild salmon runs to such low numbers that NMFS has had to put 25 separate and distinct runs of Pacific salmon and steelhead on the Federal Endangered Species list.⁽²⁾ Several additional populations are also still under consideration for listing. Nevertheless, even though we are heavily regulated ourselves under the ESA, we support these listings, and we support all efforts toward speedy recovery because their extinction means economic extinction for many of our most important west coast fisheries. Wherever

deemed necessary for conservation, fishermen have supported closures time and time again in their own industry. However, as a result of massive neglect of our critical watershed resources far inland over which we have no control, our industry has now lost tens of thousands of jobs and all the west coast's economy is now suffering, with all our coastal communities in deep financial distress.

There are various state and local plans for restoring depressed salmon runs and reinvesting in the natural resources which sustain them. However, the states cannot and should not go it alone. The desperate need, as well as the value of providing matching federal investments to supplement ongoing state and local salmon restoration efforts should be clear. The wanton destruction of this valuable economic and cultural resource is a national disgrace for which the federal government also bears considerable responsibility. Reinvestment in our watersheds also makes excellent economic sense. As recently as 1988, just before the current collapses, salmon fishing in all its forms (sport and commercial) brought more than \$1.2 billion to the west coast economy, supporting some 62,750 family wage jobs.⁽³⁾ Though many of these jobs have now been lost or are at risk, a wise investment in this resource now will bring many of them back, helping to revitalize a whole region's coastal economy, and producing a multitude of economic benefits for all.

Representative Mike Thompson's bill (H.R. 2798) is an important effort to commit the needed funds to help redress this economic disaster, and we commend him for his efforts. Representative Thompson has long been a friend of the fishermen. As a member of the California State Legislature he saw first hand the economic devastation salmon declines were creating in our communities, and he worked hard to pass SB 271 in the California Legislature setting up a stakeholder process for evaluating and recommending salmon restoration fund expenditures. Today he represents the north coast of California, one of the nation's largest districts as well as one of the areas hardest hit by salmon declines, with many once prosperous

fishing ports now nearly ghost-towns. We look forward to working with him on these issues.

APPROPRIATIONS VS. STAND ALONE BILL

There appears to be some debate over whether these funds could be obtained directly through the appropriations process (as was done in previous years) or whether a separate authorizing bill is really necessary. We firmly believe there is ample authority under the ESA to fund the recovery efforts that the ESA requires through appropriations alone, if necessary. Every major salmonid species on the coast (including coho, chinook, chum, and steelhead) are now listed under the ESA in large parts of their range and for many genetically distinct major subpopulations (ESUs).⁽⁴⁾ The geographic area in which they are listed ranges from San Diego to nearly the Washington-Canada border. The ESA, as you know, requires recovery plans for listed species, which necessarily implies the funds to make them a reality. Given that general and very broad authority, and given a past history of similar appropriations, a special appropriation to provide federal matching funds to assist ongoing state ESA recovery efforts makes perfect sense.

Nevertheless, if there is any real question on this point, the Subcommittee Chair should refer the question to Legislative Counsel for a prompt opinion and proceed accordingly. What you must NOT do is hold up the process of getting these desperately needed funds out to projects on the ground by allowing these kinds of trivial questions to block the funding process itself. To delay funding on account of minor procedural squabbles would be a tremendous disservice to the men and women who are looking to you to help them do what is clearly necessary to restore their fishing-dependent economies.

A stand-alone bill may also make perfect sense for authorizing this program for a longer period of time,

such as five years. Such an authorizing bill would help prevent future confusion and would help maintain more stable funding - a desperate need for any salmon recovery program, which of necessity must be long term. Thus it is our recommendation that Rep. Thompson's bill be for a five year term, and we have provided draft bill language to that effect.

In the interim, however, Representative Thompson and others concerned should be - and I have been assured actually are - pursuing both routes. Indeed we ask you all to make every effort to pursue both paths simultaneously. My point is - get these programs the money, don't let them bog down in procedural complexities and side issues that, ultimately, are irrelevant. All over the coast we need to be getting the job done, and any delays will just further jeopardize fishing-dependent economies and make ultimate recovery that much harder.

ASSURING ACCOUNTABILITY AND TARGETING PRIORITIES

A much more important issue is assuring that these limited funds are well spent on salmon watershed investments that make biological sense and will give the most 'bang for the buck.' Specifically, we are greatly concerned about the lack of guidelines to date to the four states on how this money is to be spent. We worry that this money will simply disappear down a rathole on ineffective half-measures, much like what happened on the Columbia River, with little to show in the end in the way of increased fish populations. Moreover, our ability in the future to seek federal dollars for salmon could be seriously compromised if these funds are mismanaged.

Frankly, in California at least, we are already having a great deal of difficulty with just the \$9 million of federal salmon money already given that state. Counties, the timber industry and agriculture groups are all scrambling to grab these funds to cover, we fear, projects that may be ineffective or themselves damaging, or to merely subsidize industry's legal obligations to mitigate impacts from their past operations (e.g., decommissioning logging roads) on fish and fish habitat. Many of the projects seriously proposed are not in fact for new projects, and some of the work being proposed is not even salmon-related. To date, the Administration seems hot to get the money out to the region, do their press conference and then walk away from it. They're gone next year, but those in the fisheries will be around and will have to bear the consequences of the Administration's or Congress's failure to provide the oversight necessary to assure that these limited funds are wisely invested.

SOME GUIDELINES REQUIRED FOR ACCOUNTABILITY AND EFFICIENT USE

We do not believe it necessary for the federal government to micromanage how the money is spent, but we do believe, at a minimum, that some common-sense guidelines are needed to keep these limited funds from being wasted. The guidelines we recommend in Congressional budget and/or bill language for these funds are as follows:

1. Funds may only be expended for work or projects conducted pursuant to an approved salmon fishery restoration or recovery plan which has had scientific review;
2. No funds shall be expended for any work or project, in whole or in part, for salmon habitat restoration or to rebuild or restore salmon populations where there is an already existing legal or contractual obligation by another entity, public or private, to carry out or pay for that work or project;

3. No funds shall be used for any work or project for salmon habitat restoration or to rebuild or recover salmon populations unless there exist rules or regulations that reasonably assure that other activities near or adjacent to the work or project or within the watershed of the work or project will not adversely affect, damage or destroy the work or project proposed for use of these funds.

The above common sense guidelines will, we believe, provide the National Marine Fisheries Service the necessary direction for developing memorandums of understanding with the states. Without these guidelines it will be next to impossible for NMFS agents in the region to negotiate strong MOUs with the states that will, in fact, help the fish.

LACK OF A COHERENT PLAN IS DISABLING RESTORATION IN CALIFORNIA

A case in point for the potential for mismanagement of salmon restoration funds is northern California, particularly in Sonoma County. There is still no salmon recovery plan for California, much less for the County of Sonoma. Yet without any comprehensive or scientifically credible plan of action, and with virtually no accountability, how can there be any assurances that funds handed directly over to the counties will be well spent?

Yet Sonoma County officials have yelled the loudest to demand that these funds should be essentially turned over to the counties (particularly themselves) as block grants for virtually unfettered use at their exclusive discretion. Sonoma County's proposed use for these funds, however, appears to be simply to pad out their existing road maintenance budget for doing routine maintenance work that, while important, is an already existing legal obligation and may not even be addressing the factors limiting salmon.

Money just shifted around as funding for already existing legal obligations would result in NO new projects when additional efforts are very badly needed. Proceeding without a credible plan of action as Sonoma County proposes would also likely result in more of the same County practices that got the salmon in trouble to begin with. Even as we speak, Sonoma County is diverting so much water from the Eel River that it very probably caused its own recent listing of Eel River salmon under the ESA. The County also approved and still supports extensive gravel mining on the Russian River in salmon critical habitat, further jeopardizing the salmon resources it wants to simultaneously use hard-won taxpayer dollars supposedly trying to save. In other words, Sonoma County has no plan - much less a scientifically credible one - and continues to fund programs actually working at cross purposes with each other in a huge waste of taxpayer resources to the detriment of its own coastal fishing economies.

This is not, unfortunately, an isolated incident. The timber industry, agricultural interests and other counties are also trying hard to hijack federal salmon restoration money to pay for already obligatory or unrelated road work as well as for existing county legal obligations to fix salmon destroying projects they themselves have created (e.g., Healdsburg Dam).

Without a credible and comprehensive plan of action in northern California by which salmon recovery measures can be prioritized, and judged in terms of their biological soundness, these funds could result in a huge feeding frenzy leading nowhere, doing nothing, and if anything having a further negative impact by undercutting legitimate salmon habitat restoration efforts.

Not surprisingly, given their sorry record to date, County officials, and particularly Sonoma County and the Sonoma County Water Agency have been especially critical of the California State Resources Agency and

NMFS efforts to craft a Memorandum of Understanding (MOU) to assure that these funds are in fact well spent - in other words, to assure at least minimal accountability and effectiveness. Frankly, instead of criticism NMFS should be strongly commended for its efforts to make sure these federal dollars are well spent, and that funds are spent pursuant to an scientifically credible restoration plan that will show a real return on that investment.

SALMON RESTORATION PLANNING IS NOT DIFFICULT -- REQUIRING THIS MINIMUM EFFORT WILL SUPPORT EFFICIENT IMPLEMENTATION

Oregon has long since developed and is currently implementing a comprehensive statewide salmon and steelhead recovery plan (the 'Oregon Plan' - see website at: <http://www.oregon-plan.org>). Among other things the Oregon Plan contains the following elements:

- (1) Both statutory and Administrative support - the Oregon Plan was created by both statute and Executive Order of the Governor;
- (2) Scientific review and oversight - an Independent Multi-Disciplinary Science Team (IMST) was created by statute to assure the scientific legitimacy of the plan, to assure that recovery measures were biologically sound and to oversee monitoring and adaptive management efforts over time;
- (3) A source of permanent funding - in addition to Legislative fund each year, some \$44 million a year was dedicated to the Oregon Plan by a statewide ballot initiative (Measure 66) in perpetuity;
- (4) A system of screening and prioritizing projects -- There is a clear project review process intended to get the best use of funding;
- (5) Comprehensive -- the Oregon Plan is state-wide, involving both salmon and steelhead, and directly involves the counties while assuring cross-county consistency.

Washington State also has most of the elements of a similar comprehensive recovery plan, including a screening and prioritization process for grants, and scientific oversight. Neither Oregon nor Washington have had significant problems meeting the minimal accountability and effectiveness criteria set forth above. Nor would Alaska, given its very active and committed Department of Fish and Game and the models of both Oregon and Washington to emulate.

As to California, requiring appropriate accountability language in H.R. 2798 - or alternatively, comparable language in any appropriations or budget report - as suggested above could only benefit the salmon resource, save federal taxpayers money by targeting investments wisely for the greatest return, and serve to provide California a strong incentive to make sure that there is in fact a state recovery plan in place as soon as possible.

SUMMARY: SALMON RESTORATION IS AN INVESTMENT TO BE TARGETED WISELY

Salmon are a self-reproducing and extremely valuable national resource that mean jobs and dollars in every west coast coastal and many inland communities. Well targeted investments in salmon habitat restoration, coupled with efforts to curtail or mitigate factors which lead to their loss, will without any doubt return many dollars on each dollar invested - *if invested wisely*.

However these funds are provided - whether solely by an appropriation, or longer term funding through specific authorizing legislation, or some combination of both - this Congress and the implementing agencies have an obligation to the federal taxpayers, and to coastal communities, to see that these funds are wisely and effectively spent in accordance with the common sense criteria presented above or their equivalent.

THE PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS

The Pacific Coast Federation of Fishermen's Associations (PCFFA) is the United States west coast's largest organization of commercial fishermen and is a non-governmental, non-profit corporation organized in 1976. As a federation, its membership is composed of 25 U.S. west coast commercial fishermen's port associations and vessel owner's associations spread from San Diego, California to northern Alaska. Fishermen belonging to PCFFA member organizations engage in a variety of fisheries, including those for salmon, crab, pink shrimp, albacore, rockfish, shark, halibut, swordfish, sea cucumber, sea urchin, squid and herring.

PCFFA provides its member associations with a full time staff to address fisheries education, communications, habitat protection, and legislation. PCFFA represents its member associations at the local, state, regional and national levels on all fisheries issues before many commissions, councils and legislatures throughout the Pacific region, and before the U.S. Congress. PCFFA also has fishermen's health care programs for fishermen belonging to its member associations. PCFFA is involved in fisheries enhancement and publishes print and electronic newsletters to alert the fishing industry to current issues that should concern it.

Since the health of our industry depends on healthy marine and anadromous fishery resources, much of PCFFA's efforts are directed at habitat protection. This includes issues dealing with water quality and quantity, wetlands protection, offshore oil pollution, ocean dumping, water pollution and maintaining the healthy watersheds and estuaries which are the nursery grounds for the many species upon which our industry depends. Our INTERNET WEB SITE IS:

<http://www.pond.net/~pcffa>

This site contains Internet links to our member groups, other fisheries organizations and many other useful resources for commercial fishermen throughout the world. It also links to our sister organization, the Institute for Fisheries Resources, which is dedicated to ocean and anadromous resource protection throughout the Pacific.

Attachment A - Page 1 of 2

THE MEMBERS AND BOARD OF DIRECTORS OF THE PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS

The Board of Directors of PCFFA is composed of 25 major commercial fisheries organizations on the U.S. west coast from San Diego to Alaska. Each group is represented on our Board by that group's President, Executive Director or designated Representative. The current Board membership is as follows:

- Commercial Fishermen of Small Boat Commercial Salmon
- Santa Barbara, Inc. Fishermen's Association
- Commercial Fishermen's Trinidad Bay Fishermen's

- Organization of Morro Bay Marketing Association
- Crab Boat Owners' Association Southern California Trawlers Association
- Del Norte Fishermen's Marketing
- Association Golden Gate Fishermen's Association
- Fishermen's Marketing Association of Salmon for All Bodega Bay
- Federation of Independent Salmon Trollers' Marketing Seafood Harvesters (FISH) Association
- United Fishermen of Alaska
- Half Moon Bay Fishermen's Marketing Association
- Ventura Commercial Fishermen's Association
- Humboldt Fishermen's Marketing
- Association Central California Longline Association
- Moss Landing Commercial Fishermen's Association
- Washington Trollers Association
- Port San Luis Commercial Western Fishboat Owners' Association
- Fishermen's Association
- Monterey Fishermen's Marketing
- Santa Cruz Fishermen's Association
- Marketing Association
- Shelter Cove Commercial Fishermen's
- Golden State Trollers Association Association

PCFFA is by far the largest and most politically active organization of commercial fishermen on the U.S. west coast, and is active on all local, regional and national issues affecting our fisheries.

Attachment A - Page 2 of 2 - Endnotes

1. A list of PCFFA member organizations is included as Attachment A.
2. For the current status of salmonid listing decisions see Attachment B, from the National Marine Fisheries Service web site: <http://www.nwr.noaa.gov/1salmon/salmesa/pubs/1pg300.pdf> For online maps of the many ESUs now listed see: <http://www.nwr.noaa.gov/1salmon/salmesa/mapswitc.htm>. For general information on the listings, see: <http://www.nwr.noaa.gov/1salmon/salmesa/specprof.htm>.
3. From *The Economic Imperative of Protecting Riverine Habitat*, Pacific Rivers Council Report No. 5 (January, 1992).
4. Listings decisions are made on the basis of genetically similar subpopulations, called "Evolutionarily Significant Units" or ESUs.

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