

Appendices

- Appendix A. Copies of:
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 - 2. Full roster of current CAC members
- Appendix B. Commercial Salmon Fishing Gears (Gillnet, Troll)
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- Appendix J. Program Report: Statement of California Advisory Committee on Salmon and Steelhead Trout, May 2008
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- Appendix M. Partial listing of advisory bodies and projects on which CAC members, former and current, have lent their expertise to assist DFG
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- Appendix Q. California Fish and Game Code Section 6920
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- Appendix S. Resolution Honoring 50 Years of Salmon Restoration

Appendix A.1 – November 19 CAC agenda

California Advisory Committee on Salmon and Steelhead Trout
1625 N. Market Blvd., Natomas (North Sacramento)
November 19, 2008 – 9:00 A.M. to 3:30

AGENDA

- 9:00 Welcome and Opening Comments
- Amend/Approve Agenda, Review Minutes
- 9:15 Announcements
- 9:30 Follow-up on letters from last meeting:
- Enforcement on diversion screens – Done,
 - Support for DFG funding and staffing – Done.
- 10:00 Dept. of Fish and Game report:
- Fisheries Restoration Grants Program
 - Status of State and Federal funding
 - 2007 Klamath disaster funding
 - Staffing and Funding
- 11:00 Sacramento Bay-Delta Water – Carl Wilcox, DFG Water Branch Chief
- 12:00 Break for lunch
- 1:00 DFG report continued:
- Programmatic Mitigated Neg. Dec. and non-Program projects
 - Salmonids in the Classroom
 - DFG Hatchery review – reports?
 - Coastal Salmonid Monitoring Program – Status
- 2:00 Scott/Shasta Programmatic Incidental Take Permit, Draft EIRs
- 2:15 Review of Prior CAC Recommendations – B. Stickel,
- 2:40 Legislation:
- Update on Water Board AB 2121 Implementation – Stan Griffin
 - Other.
- 3:10 Meeting dates for 2009 – Venue: DFG Training Center Natomas
- 3:30 Adjourn

Appendix A.2

ROSTER: 2008 CALIFORNIA ADVISORY COMMITTEE ON SALMON AND STEELHEAD TROUT

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Revised 30 December 2008

Appendix B – Salmon Fishing Gears

In-River Gillnetting

Gillnetting involved laying a net wall across the river in the path of the salmon. When the salmon swam into the webbing, their heads went through the mesh and the gills became entangled, preventing escape. In California today, gillnets are only permitted in a limited number of closely monitored tribal fisheries.

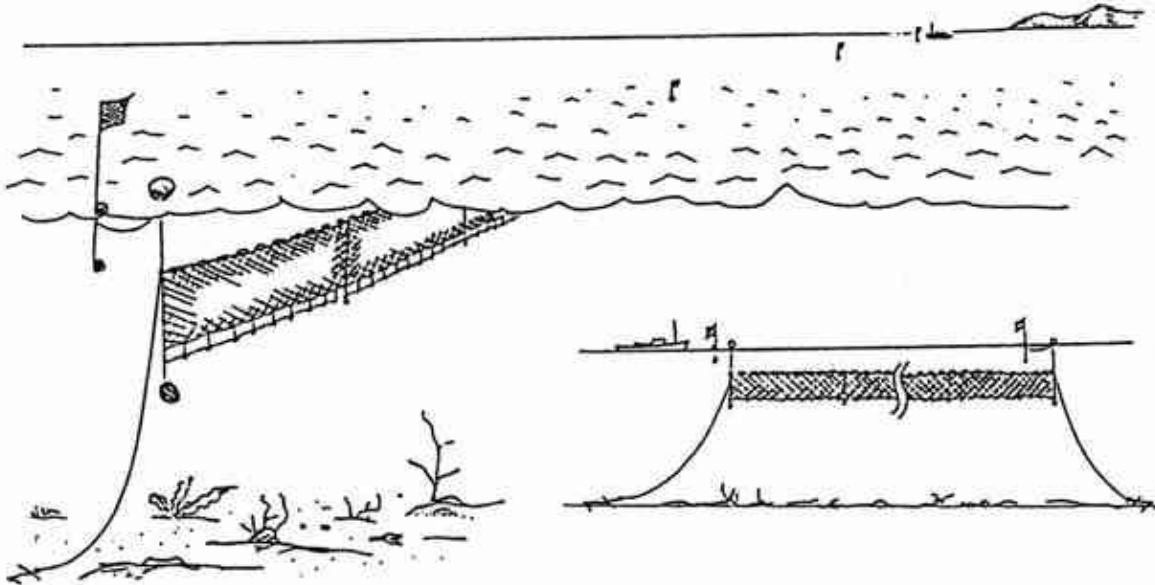


Figure 1: Set Gillnet (From: *Japan Coast Guard, PART 1 CONDITIONS IN SEA AREAS AROUND JAPAN*. 29 Oct. 2008 <http://www.kaiho.mlit.go.jp/syokukai/soshiki/toudai/navigation-safety/download/down_bc/english/part1.htm>).

Commercial Salmon Trolling

To troll for salmon, a fisherman tows baited hooks, or lures, through the water. Stainless wire “lines” are rigged to outriggers (trolling poles) that are generally about as long as the vessel itself. The outriggers are lowered and help hold the lines away from the boat, with stabilizers attached to the outriggers.

In California, trollers are allowed to use up to six lines, each of which typically has from about four to eight lures per wire, attached by monofilament leaders (spreads) at intervals of about 3 fathoms (18 feet). Fishermen target salmon anywhere from just below the surface to a depth of about 80 fathoms, generally trolling between one and four knots. Cannon-ball shaped weights up to about 60 pounds are used to place the gear at whatever depth the fisherman desires, using hydraulic gurdies (a type of mechanical reel). In addition, to facilitate the release of undersized fish, commercial salmon fishermen must use barbless hooks.

Double-ender salmon troller

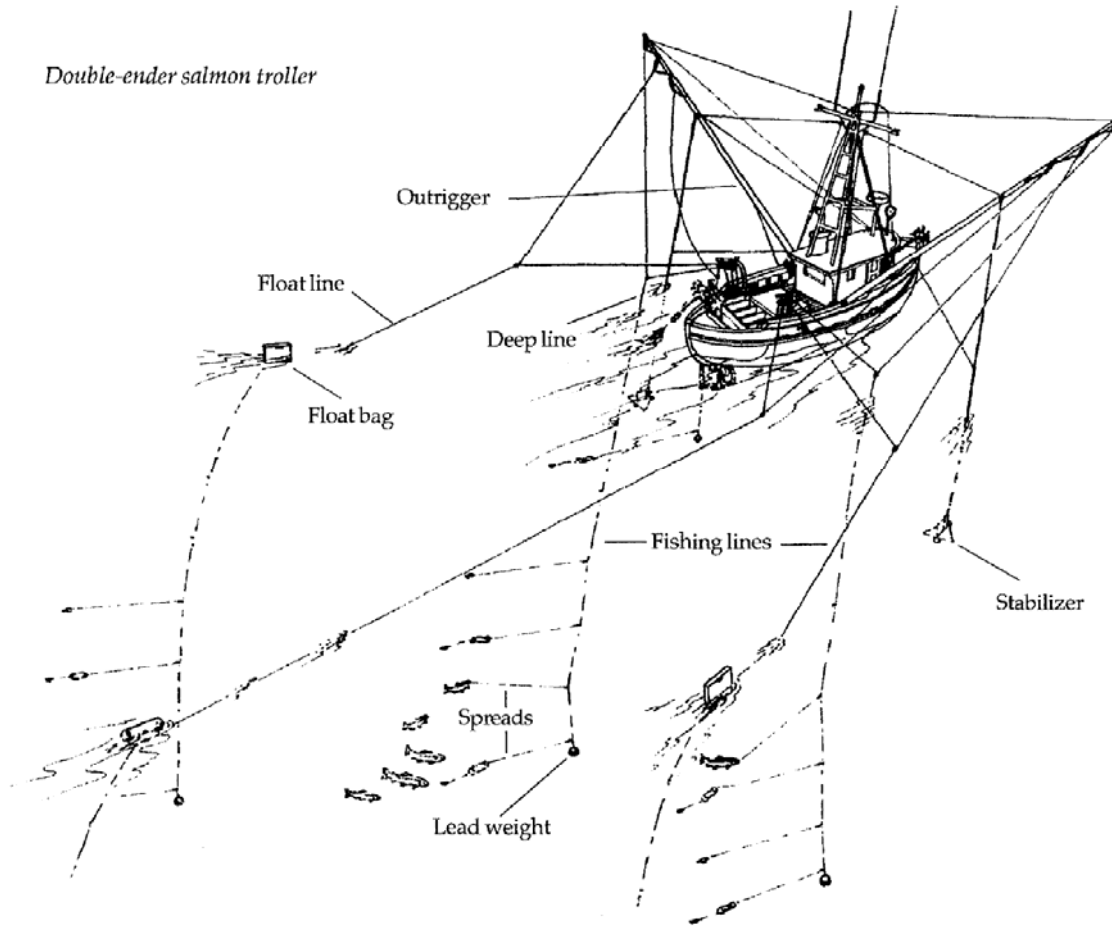


Figure 2: Salmon troller. Drawing by Herb Goblirsch

For lures, plugs, flashers with hootchies (plastic or rubber “squid”), spoons and baits such as herring and anchovy are all used. Oftentimes floats are used on the outside lines, which spread the lines and prevent tangles.

The salmon gurdies are used to bring the leaders to the boat. The fishermen then play and land the salmon, on its six to eighteen-foot monofilament leader, by hand. California’s salmon trollers stun their catch in the water. The fish is then gaffed onto the boat, bled, cleaned and washed, typically within a brief time. Variables such as speed, depth, lure type and fishing area all have an impact on the fish caught, and professional trollers target particular runs of Chinook salmon, utilizing time and area restrictions to help protect wild salmon stocks.

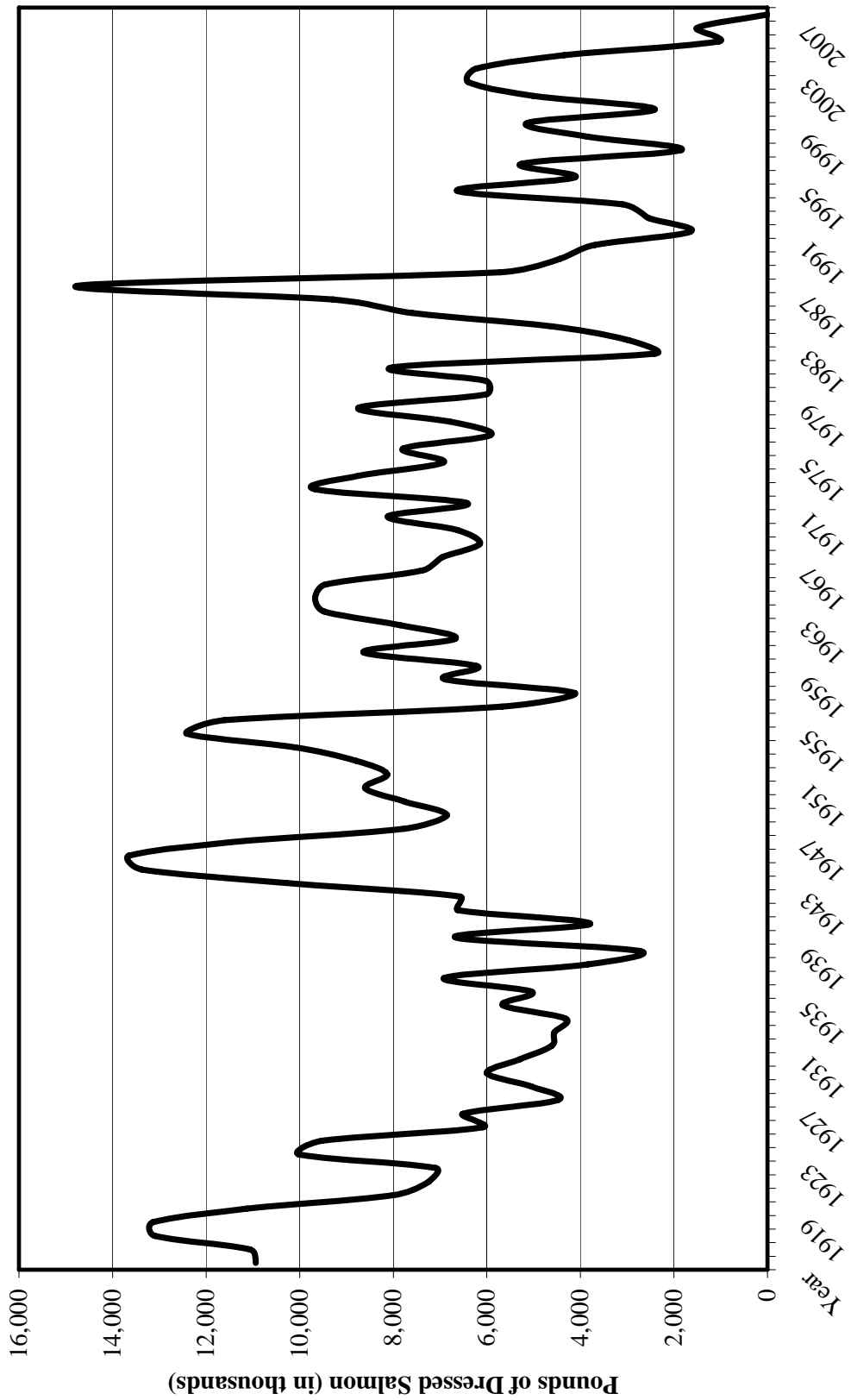
Figure 3: Salmon "hootchie" (lure).
Drawing by Herb Goblirsch



From: Ginny Goblirsch and Steve Theberge, "Salmon Trollers," *Getting to Know Oregon's Commercial Fisheries*, 2003, Oregon State Univ. Sea Grant, 9 Nov. 2008
<<http://seagrant.oregonstate.edu/sgpubs/onlinepubs.html>>.

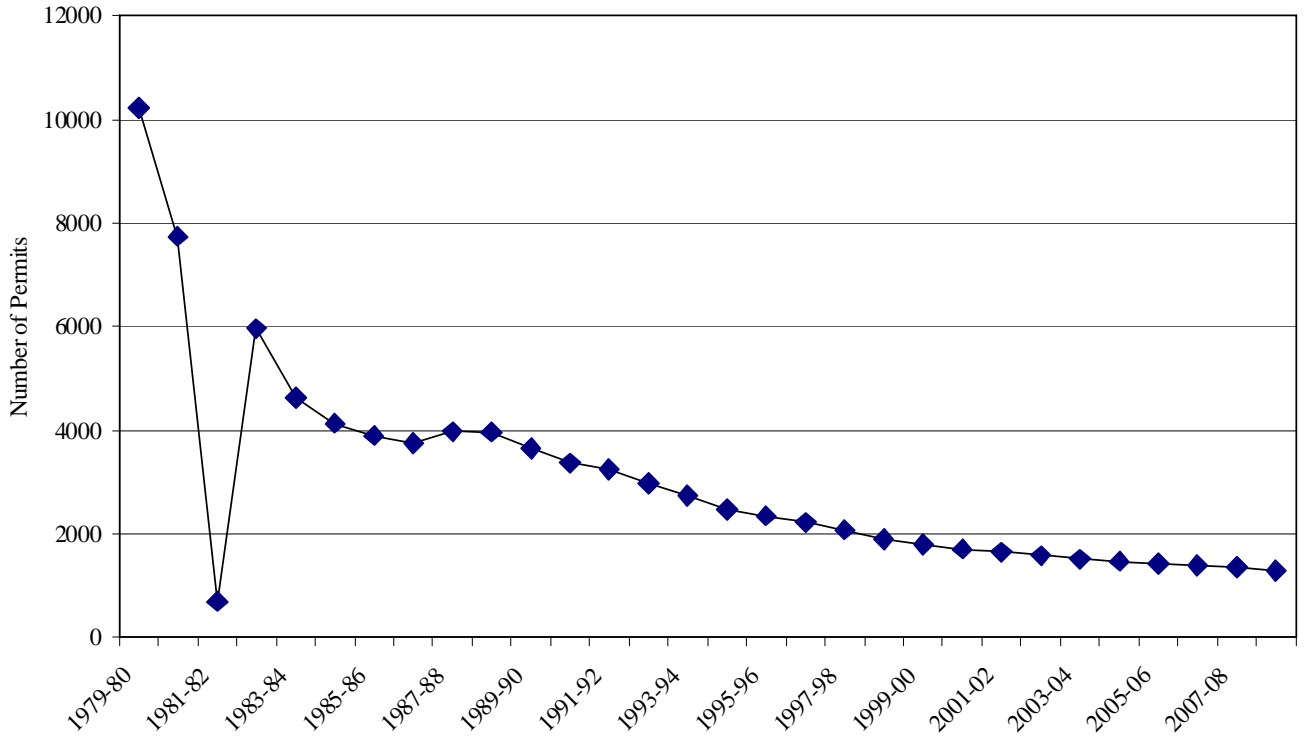
Appendix C – California Commercial Salmon Harvest, 1916-2008

Commercial Salmon Harvest, 1916-2008



Appendix D

California Commercial Salmon Vessels
1979 = 10,222 2008 = 1,294



Note: data compiled by author from www.dfg.ca.gov/licensing. DFG's tables provide no explanation for the 1981 anomaly.

Appendix E

RESOLUTION CHAPTER 124

Assembly Concurrent Resolution No. 64—Relative to creating an Advisory Committee on Salmon and Steelhead Trout.

[Filed with Secretary of State July 9, 1970]

Whereas, The salmon and steelhead trout resources are a priceless and irreplaceable resource of this state; and

Whereas, The survival of these resources is now threatened; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, As follows:

1. The Director of the Department of Fish and Game shall appoint an Advisory Committee on Salmon and Steelhead Trout which shall ascertain, study and analyze all facts relating to the preservation, protection, restoration and enhancement of salmon and steelhead trout resources of this state, including, but not limited to, the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the director, who shall submit such report to the Legislature, including in the report its recommendations for appropriate legislation.
2. The Advisory Committee on Salmon and Steelhead Trout shall consist of persons having practical knowledge and experience from the following fields:
 - (a) Four commercial representatives from salmon fishermen and commercial salmon processors.
 - (b) Four organized sportsmen representatives from salmon and steelhead fishermen and party boat operators.
 - (c) One public member.
3. The advisory committee shall cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution.
4. The members of the advisory committee shall serve without compensation.
5. The advisory committee shall study and investigate all relevant matters, in order to provide for and develop a program for the preservation, protection, restoration, and enhancement of the salmon and steelhead trout resources of this state, including, but not limited to, the following matters:

(a) The conduct of hatchery and stocking operations such as to achieve maximum contribution to the fishery and to spawning escapement.

(b) The rehabilitation, protection, enhancement, and preservation of all salmon and steelhead trout spawning areas and the maintenance of such areas in optimum condition.

(c) The expansion of hatchery and related artificial propagation facilities where necessary and feasible to achieve maximum production of salmon and steelhead trout.

(d) The screening of all existing major diversions on salmon and steelhead trout streams.

(e) The development and conduct of rehabilitation, enhancement, and restocking programs to achieve maximum production in all streams with historic populations of salmon and steelhead trout.

(f) The coordination of state programs and activities with federal agencies so as to promote maximum contribution to the salmon and steelhead trout resources by the federal government.

6. The advisory committee shall submit a progress report, together with any suggested legislation, to the director, who shall submit such report to the Legislature not later than the fifth calendar day of the 1971 Regular Session of the Legislature.

From: California State Legislature, 1970 Regular Session, Statutes of California, Res. Ch. 124 (Sacramento, 1970), 3649-3650.

Appendix F – 1971 Recommendations and Outcomes

1971 - An Environmental Tragedy		
Page	Recommendation	Outcome
	Restoration From Past Damage	
31	1/ The Federal Government should pay the costs for restoration of salmon and steelhead runs damaged by prior Federal water and other development projects, as is being done in the Columbia River Basin.	
31	2/ The California general fund should contribute half the costs of Department of Fish and Game programs to rehabilitate and restore the salmon and steelhead resources already damaged by non-Federal Governmental agencies and private development.	SB 887 (Collier) failed to pass during the 1971 legislative session. This bill established state policy requiring the agencies or persons responsible for damaging salmon and steelhead resources to share the cost of correcting the damage. If the responsibility for damage could not be fixed, the General Fund would share one-half the cost of restoration and the Fish and Game Fund the remaining cost. The Department of Fish and Game would be responsible each year to recommend in its budget needed restoration projects.
31	3/ The Federal Government, at Coleman and Nimbus Hatcheries, should install a closed water system and take those actions necessary to prevent disease now causing losses of up to 90 percent of the hatchery production of salmon and steelhead.	
31	4/ Additional ponds should be installed at both hatcheries by the Federal Government to increase the rearing capacity for salmon and steelhead, thereby allowing the fish to be reared to a larger size and increasing their survival to the adult stage. These hatcheries have not yet accomplished their purpose of fully mitigating damages caused by Federal water development.	
32	5/ The Federal Government should make the necessary alterations in the design or operations of the Keswick Fish Trap to assure its efficient functioning at the time of all salmon runs.	SJR 29 (Marler) memorializes Congress to direct the Secretary of Interior to correct deficiencies in existing Central Valley Project fish facilities at Coleman Hatchery, Nimbus Hatchery and Keswick Fish Trap. (CAC SST 1972:16; 1975:57)
32	6/ Immediate priority should be given to an evaluation of the U.S. Bureau of Reclamation's Trinity River Project and correction of the tremendous damage done to the steelhead-salmon runs in this river in the last ten years. Steelhead runs since 1961 under project-controlled downstream spring flows have declined 82 percent.	
32	7/ The Department of Fish and Game must recognize the failure of fish protection measures at the Trinity River Project and must actively oppose any future project on any salmon or steelhead stream until the deficiency in technology demonstrated on the Trinity River has been overcome.	

1971 - An Environmental Tragedy		
Page	Recommendation	Outcome
	Protection With Future Development	
35	8/ The Federal Council on Environmental Quality should disapprove any proposed Federal project on any California salmon and steelhead stream unless the environmental impact report clearly states that such projects will not be deleterious to the salmon and steelhead resources of that stream.	ARJ 40 (Dunlap) memorializes the Federal Council on Environmental Quality to disapprove any proposed federal project unless the environmental impact statement clearly demonstrates that the project will not have a substantial deleterious effect on salmon and steelhead. The Corps of Engineers was requested to take similar action regarding the issuance of waste discharge permits. (CACSSST 1972:16; 1975:59)
35	9/ The U.S. Corps of Engineers should issue no permits for waste discharges to any California salmon and steelhead stream under the National Refuse Act of 1899 without first making a finding that such discharge will have no deleterious effect on the salmon and steelhead resources of that stream.	
35	10/ The Department of Fish and Game shall aggressively oppose any planned developments on salmon and steelhead streams unless it can be demonstrated in an impact report that these resources can be fully protected or enhanced with the proposed development.	AB 2637 (Belotti) directed the Department of Fish and Game to inform the Fish and Game Commission of the state's comments including those of the Department on all environmental impact statements or reports of possible projects which affect salmon and steelhead resources. (CACSSST 1972:15; 1975:58)
35	11/ Downstream releases of water made for salmon and steelhead from any project shall be safeguarded by the State Water Resources Control Board from diversion for other purposes.	
35-36	12/ All future water diversions from streams designated by the Department of Fish and Game as salmon and steelhead spawning streams shall be screened as directed by the Department and the entire cost of constructing, maintaining and operating the screen shall be borne by the diverter.	AB 2147 (Davis) required all new diversions from salmon and steelhead streams to be screened by the diverter if the Department determines the diversion could be detrimental to salmon and steelhead. All construction and maintenance costs would be borne by the diverter. (CACSSST 1972:15; 1975:58)
36	13/ The primary project beneficiaries of all future water, power, irrigation or flood control projects, shall bear the full costs of all actions required to provide for the maintenance of the full salmon and steelhead production capability of such streams, including the acquisitions, improvement and maintenance of downstream spawning areas. The effects on salmon and steelhead of changes in water quality, temperatures, stream flows, gravel replenishment and increased use of the stream as a result of the project shall be considered in assessing the project impact.	

1971 - An Environmental Tragedy		
Page	Recommendation	Outcome
36	14/ Post project evaluation of all future water developments shall be financed by the developer to determine the actual effect of project operations on salmon and steelhead populations. Project operations should be adjusted where necessary to assure pre-project fish production. Artificial hatchery production should be provided if changes in project operation cannot accomplish this goal.	
36-37	15/ The State Lands Commission shall determine the ownership of all salmon and steelhead spawning areas designated by the Department of Fish and Game. All areas found to be the State property shall be permanently protected by the State and no sale, lease, or disposal shall be made. The Director of the Department of Fish and Game shall be empowered to disapprove stream alterations of any prime salmon and steelhead spawning areas.	SB 1215 (Marler) required the State Lands Commission to determine the ownership of salmon spawning areas in Central Valley rivers. While the ownership is being determined, the Director of the Department of Fish and Game may disapprove any streambed alteration if such work would be deleterious to fish life. Spawning beds which are found to be state property would not be disposed of or leased. However, the Director may allow easements of leases for public utility facilities. (CACSSST 1972:16; 1975:59)
37	16/ The Federal Government should annually provide the maximum funding allowed under the Federal Anadromous Fisheries Act providing allocations to the states for salmon and steelhead management programs.	ARJ 27 (Belotti) requests the President and Congress to annually provide maximum funding under the Federal Anadromous Fisheries Act. (CACSSST 1972:15; 1975:59)
37	17/ Federal and State pumping of water in the Delta now threaten the salmon and steelhead resources in the Central Valley. Additional scheduled pumping will pose an even greater threat. The peripheral canal project can solve these problems if operated properly. The responsible water development agencies should be required to take those interim measures already recommended by the Department to avoid further damage prior to project completion.	
Salmon and Steelhead Management Programs		
38	18/ Sport fishing license fees for the taking of salmon and steelhead should be increased to provide additional funds for the protection, restoration and enhancement of salmon and steelhead. Taxes on the commercial take of salmon were increased in 1970. The Department should maintain separate accounting of all the revenues and expenditures for salmon and steelhead.	
38	19/ A minimum of \$3 million of State Water Project Fish and Wildlife Enhancement Funds authorized by Proposition 20 (1970) shall be allocated for salmon and steelhead enhancement purposes for projects such as spawning gravel acquisitions, hatcheries or artificial spawning channels.	
38-40	20/ The Fish and Game Commission should establish the following policies to guide the Department:	
	a/ The goal of the Department shall be to realize the full potential productivity of all salmon and steelhead streams.	

1971 - An Environmental Tragedy		
Page	Recommendation	Outcome
	b/ No native steelhead, king salmon or silver salmon shall be stocked in any lakes or reservoirs or any waters considered unsuitable for the migration of these fish to the ocean and their return, until such time as the Director advises the Commission that all streams suitable for salmon and steelhead have optimum populations of fish.	
	c/ The Department shall give priority in its studies to making a systematic appraisal of the present and potential carrying capacity of all salmon and steelhead streams and recommend annually to the Commission those actions necessary to realize the potential carrying capacity.	
	d/ The Department should annually submit to the Commission for approval the proposed allocation of hatchery space for salmon and steelhead and catchable trout. The Anadromous Fisheries Branch will be responsible for planning and scheduling the size and planting location of all salmon and steelhead. Stock used to plant streams should be adaptable to the type of stream to be stocked.	
	e/ No salmon and steelhead from disease-bearing streams shall be transferred to disease-free streams.	
	f/ The Department shall take immediate action to inaugurate an experimental program of establishing salmon and steelhead rearing ponds on suitable streams and annually report to the Commission on this program with recommendations for further actions. The Department should encourage the cooperation of local governments, schools, or citizen groups in the operation of the rearing pond program.	
	g/ The Department should keep separate records of hatchery production and hatchery expenditures for steelhead, king salmon and silver salmon.	
	h/ The Department should continue the experimental Sacramento River program of transporting and releasing hatchery fish at selected downstream locations until the project is fully evaluated.	
	i/ No catchable trout should be planted in any salmon and steelhead stream until after the annual downstream migration of yearling silver salmon and steelhead has been completed.	
	Legislation passed without CAC recommendation	SCR 64 (Collier) directs the Department of Fish and Game to develop a series of reports on programs to restore salmon and steelhead populations which have been depleted or destroyed because of federal water development projects. (CACSSST 1972:16; 1975:60)

1971 - An Environmental Tragedy		
Page	Recommendation	Outcome
	Legislation passed without CAC recommendation	SCR 72 (Collier) directs the Department of Fish and Game to prepare plans to enhance Feather River salmon and steelhead populations in conjunction with the operation of the State Water Project. The costs of such plans would be payable from the Recreation and Fish and Wildlife Enhancement Fund. (CAC SST 1972:16; 1975:60)

Appendix G – 1972 Recommendations and Outcomes

1972 - A Conservation Opportunity		
Page	Recommendation	Outcome
	Federal Water Project Recreation Act	
45	Amend the Federal Water Project Recreation Act to provide that all project and operational costs for anadromous fish enhancement programs in conjunction with federal water projects shall be borne by the federal government.	The Flood Control Act of 1974 changed the 50/50 provision for fish and wildlife enhancement to 75 percent Federal funding. (CACSSST 1975:60)
46	Amend the Federal Water Project Recreation Act to remove the \$100,000 ceiling on the cost of measures which may be taken by the Secretary of the Interior to include anadromous fishery improvements at projects authorized prior to 1965 <i>where no such improvements were included in the original plan of development</i> . Broaden the authority to apply anywhere in the project impact area.	
	Federal: Anadromous Fisheries Act	
46	Amend the Anadromous Fisheries Act to increase the federal grant from 50 to 75 percent of project costs and to increase the annual expenditure authorization from \$5 million to \$20 million. Additionally, provide that such grants may be utilized within two years, rather than one year, of their allocation date.	P.L. 93-362 extended the Act through June 30, 1979 and increased annual expenditure authorization to \$20 million. The Act adds control of sea lamprey to eligible activity and increases federal participation to 66-2/3 percent for projects jointly entered into by two or more states. (CACSSST 1975:60)
	Federal Power Act	
47	Amend the Federal Power Act to subject federal agencies to its relicensing provisions, in order to assure adequate, continuing project responsibility to fisheries protection.	
	Federal: Central Valley Fishery Rehabilitation Program	
47	Obtain congressional approval for a Central Valley fishery rehabilitation program granting the Secretary of Interior specific authority to undertake projects for the restoration of salmon and steelhead resources heretofore damaged through the development of Central Valley water projects under the control of the Secretary.	
	State: Forest Practice Act	
48	Amend the Forest Practice Act to require the preparation of detailed logging plans to be approved by the Department of Fish and Game. A streamside buffer strip should be a requirement in the law to protect all salmon and steelhead streams. The Act should also require adequate monitoring and enforcement to assure total stream protection.	New Forest Practice Act enacted providing for public membership on the Board. Recommendations for fish and wildlife protection have been submitted to the board for possible inclusion in new Rules. (CACSSST 1975:61)
	State: Protection of Stream Flows	
48	Amend the Water Code to provide that stream flows required for the preservation of fisheries are not subject to further appropriation.	Proposed legislation withheld by author. (CACSSST 1975:61)

1972 - A Conservation Opportunity		
Page	Recommendation	Outcome
	State: Spawning Areas	
49	Amend the Fish and Game Code to extend the Department's Authority over critical streambed spawning areas to key North Coast and Central Valley streams where such authority is now lacking.	Section 1505, Fish and Game code, amended to give the Department of Fish and Game authority over specified activities in spawning areas, including major North Coast streams. (CACSSST 1975:61)
	State: Project Responsibility	
49	Direct the Commission and the Department to seek conditions in all future power licenses, water permits and similar grants of public authority to require project agencies to be responsible for fish and wildlife throughout the life of the project. They should finance pre- and post-construction studies of fishery conditions and make project adjustments, where needed. Such project-agency responsibilities should not terminate until all parties have determined the fisheries to be successfully protected.	
	State: General Fund Support	
17	The committee strongly believes that general public funds should share in the cost of restoration of salmon and steelhead habitat damaged or destroyed by the past activities of all government and private activities whenever responsibility cannot be identified. Legislation to accomplish this should be enacted.	
50	Legislation should be passed to clearly establish a general fund responsibility for the protection, restoration and enhancement of the salmon resources related to commercial fisheries. Such a contribution should be viewed as an investment to the present and future economy of the State.	Under legislative investigation. (CACSSST 1975:61)

Appendix H – 1975 Recommendations

1975 - THE TIME IS NOW	
Page	Recommendation
Artificial Propagation	
46	The Bureau of Reclamation and the Department of Water Resources should: (a) Provide funds for on-the-job research at their mitigation hatcheries to reduce egg and fingerling mortality; (b) Provide additional pond space for rearing salmon to a desirable size for planting; and (c) Modernize facilities as new hatchery techniques are developed.
46	The Bureau of Reclamation should provide a recirculating water system at Nimbus Hatchery to help control Sacramento River Chinook Disease (SRCD).
46	The Department of Fish and Game and the Bureau of Sport Fisheries and Wildlife should continue and expand marking experiments to evaluate the results of various hatchery procedures. Results should be analyzed without delay and made available to all hatchery managers.
46	The Bureau of Sport Fisheries and Wildlife with assistance from the Department of Fish and Game should give high priority to the development of techniques to reduce the pre-spawning loss of female salmon in the Tehama-Colusa spawning channel and to improve overall efficiency of the channel.
46	Sea Grants or other federal funds should be sought to investigate the impact of hatchery production on native salmon and steelhead stocks.
Off-Stream Rearing Ponds	
47	The Department of Fish and Game should encourage the rearing of yearling salmon and steelhead by private organizations and assist by providing technical service for pond development and preparation of a management plan.
47	The Department should continue to supply surplus fingerlings, when available, after determining that the ponds meet Department of Fish and Game criteria and that fish food and labor will be supplied by the sponsoring organization. The time and place of fish planting should be determined by the Department.
Delta Water Problems	
48-49	The department of Water Resources and the U.S. Bureau of Reclamation should take the following action with regard to the Peripheral Canal:
	a. Initiate a fish screen research and development program for the Peripheral Canal with an adequate budget and a staff of experts so that a screen design can be developed which will guarantee the protection of juvenile anadromous fish. The possibility of engaging one of the aerospace firms to assist in this endeavor should be explored.
	b. Provide funds and engineering support for an investigation to determine the rate of downstream movement of juvenile salmon and steelhead under present flow and water export conditions.
	c. Plan and fund post-project studies to establish minimum flow schedules for the river below the canal intake and provide sufficient operating flexibility to permit adjustments if needed.
	d. Plan and fund a post-project study of the effect of water releases from the canal on salmon and steelhead migration.
	e. Investigate the possibility of obtaining San Joaquin River water in lieu of canal releases for water quality control in the South Delta in September.
	f. Plan the operation of the Delta Cross Channel so there will be no interference with salmon and steelhead migration.
49	The Department of Fish and Game should plan and fund an investigation to determine the environmental requirements of the American shad, a species threatened by water development.
49	Federal and State legislation should be enacted to prohibit additional water development of North Coast salmon and steelhead streams that would adversely affect the anadromous fishery.

1975 - THE TIME IS NOW	
Page	Recommendation
	Water Projects Operations
50	Federal and State legislation authorizing water projects must provide funds for determining project effects on the fishery and for making such adjustments as may be necessary. This must include adequate pre-project and post-project studies.
50	Federal and State laws should be enacted to provide that water development agencies have a continuing responsibility for the maintenance and enhancement of fish and wildlife for the life of the project.
50	The State Water Resources Control Board should condition water permits to allow for modification of permit terms if project evaluation studies demonstrate that such changes are essential to protect the fishery.
	Land-Use Planning
51	Appropriations of adequate federal and state general funds are needed to:
	a. Expand and intensify the current cooperative State-Federal Soil Vegetation Survey to provide the resource information base needed for planning.
	b. Expand and intensify studies of relationships between fish resources and their habitats and between stream turbidity and sport fishing success.
	c. Fully fund studies to develop new and efficient stream rehabilitation practices.
	d. Establish an adequate flow and sediment monitoring network on North Coast streams.
	e. Fully fund development of alternate logging methods.
	f. Fully fund an integrated State-Federal task force to develop systems analysis technology to enhance the decision making process for future land-use planning.
51	There should be established an advisory committee to the California State Legislature to develop and recommend new and innovative land-use legislation.
51	Full implementation of multipurpose management of federal and state lands must be provided by more adequate federal and state general funds.
51-52	The State must enact legislation to control the conversion of timber land to grassland. Such legislation should include additional methods of taxation or other economic means to control this conversion and therefore reduce the resulting degradation of watersheds. Congress and the Legislature must also appropriate adequate federal and state funds to continue the conversion of grasslands to timber on federal and state lands.
52	The State Lands Commission must be provided with additional state funds to comply with recently enacted legislation requiring the identification of state-owned spawning and nursery areas important to salmon and steelhead resources. State legislation must be passed to <i>acquire, protect, restore and preserve</i> critical spawning and nursery areas.
52	The California Division of Forestry must strictly enforce the State Forest Practices Act to control sediment production from specific timber harvesting operations. Funds for increased enforcement procedures should be supplied by additional state general funds. Through the State Forest Practices Act of 1973, the Coast District Forest Practices Rules Committee must provide for a more comprehensive timber harvesting plan. A more comprehensive plan would include the establishment of adequate protective streamside buffer zones or green strips along all anadromous fish streams and tributaries on private or state lands.
52-53	Although the State Forest Practices Act of 1973 was established to control degradation of the habitat from individual or localized potential sediment sources, the State Legislature should provide more stringent controls in the Act for area-wide or watershed coordination to reduce total sediment production.
	a. Federal and state general funds are required for adequate research into the annual allowable timber cut for an area or watershed.
	b. Legislation is also needed to provide controls on locations and timing of logging operations for a given watershed on private or state lands.

1975 - THE TIME IS NOW	
Page	Recommendation
53	The Forest Practices Act of 1973 should be amended to provide the Department of Fish and Game with the responsibility for timely review of timber harvesting plans. These additional non-reimbursable responsibilities must be funded from sources other than the Fish and Game Preservation Code.
53	Congress and the Legislature should provide authority and funding to those agencies associated with land-use planning functions to develop increased inter-agency and interdepartmental cooperation in the planning process.
53	Land-use planning, habitat protection, non-game programs, rare and endangered species protection, and exotic species control are areas of Department involvement that are currently funded by the license buyers. It is essential that some way be found to provide general fund support for these Department programs.
Help From Local Government	
54	County and city zoning ordinances (a key tool in land-use planning) should be enforced and developed to control land-use and management for proper reduction of sediment yield. This would include the need for local governments to create primary and secondary flood plan districts to provide land-use regulations to properties situated in floodways and to provide for flood plain zoning where necessary.
54	Stream siltation and watershed erosion damage need to be minimized by more strictly enforced local excavation, grading and road-building ordinances, as well as local subdivision and lot split ordinances.
54	State general funds should be provided to develop more rigorous and mandatory review, approval and recommendation procedures by state agencies, such as the Department of Fish and Game. These procedures should be used by the Department in the decision-making process in helping to formulate local land-use plans. This would provide the Department with authority to regulate land-use practices such as logging and road construction activities to protect fishery habitats.
54- 55	Local Department of Fish and Game personnel should continue to recognize the importance of their environmental management responsibilities in addition to their fish management functions. This will ensure close coordination between fish and wildlife professionals and county and city governments in implementing more effectively the existing planning procedures.
55	Local governments should review the counties' share of fish and game fine monies to make sure the funds are used for the proper management of the salmon and steelhead resources. The State should also enact legislation to provide matching funds from the general fund so that local government can enhance their fish-related programs.
55	County regulations for the use of insecticides and herbicides and proper discarding of containers need to be strictly enforced.

Appendix I

1992 REPORT TO THE

JOINT COMMITTEE ON FISHERIES AND AQUACULTURE

by the
CALIFORNIA ADVISORY COMMITTEE ON SALMON & STEELHEAD TROUT

EXECUTIVE SUMMARY

The Salmon and Steelhead Advisory Committee, composed of eleven members and their alternates, provides recommendations to the state Legislature and the California Department of Fish and Game on matters relating to salmon and steelhead trout in California. The Advisory Committee's 1988 report, "Restoring the Balance", provided a description of the problems and solutions facing salmon and steelhead in all of the major river basins in California. A significant piece of legislation, S.B. 2261, was the result of that report.

S.B. 2261 amended the Fish and Game Code to make it the policy of all state agencies to double the populations of salmon and steelhead trout by the year 2000. Since passage of that bill, salmon populations have reached record low numbers in many north coast streams and the Sacramento winter-run chinook has been listed as "endangered" by the Fish and Game Commission and "threatened" by the National Marine Fisheries Service. Several other stocks of salmon and steelhead are possible candidates for listing under the Federal and state Endangered Species Acts. It seems we are farther than ever from reaching the goals defined in S.B. 2261.

The 1992 recommendations of the Advisory Committee reflect the framework identified in our 1988 report, because little has changed since 1988; except that the fisheries resources are steadily declining. The 1992 recommendations of the Advisory Committee are directed toward specific actions that the State Legislature can and should take to meet the goals of S.B. 2261. The recommendations focus on fisheries restoration funding, water policy reform, enforcement of the Fish and Game Code and state forest practices reform. The Advisory Committee's recommendations are intended to result in solutions which will increase the ability of the State of California to meet the goals of S.B. 2261, while maintaining a balanced approach to the use of all of California's natural resources.

INTRODUCTION

With the filing of our 1988 Annual report we recommended that the Legislature adopt an overall plan for the conservation and restoration of the salmon and steelhead trout fisheries. We advised that the program should include explicit goals, a timetable for completion, and adequate funding. In September of 1988, with the signing into law of Senate Bill 2261, it appeared that some of our recommendations for a salmon and steelhead trout restoration program would soon begin implementation.

Today, after more than eight years of work by this committee, four years after filing our final report, and three and one-half years after many of our recommendations were passed into law; where are we? The consensus of our Committee is that we are still far from a realistic implementation. Four sections covering our major concerns follow:

FUNDING FOR FISHERIES RESTORATION

In spite of a specific mandate from the Legislature, the Department has failed to place a high enough priority on the programs developed in conformance to S.B. 2261. We stress today, to the new Director, that he must elevate the priorities of the 2261 program to a status equal with all other Department objectives. The Department staff, assigned to the 2261 programs, must be recognized as essential contributors to the decision making processes on all matters directly or indirectly impacting the expeditious implementation of the 2261 program. There is not an administrative level in the Department of Fish and Game (or state Government) that has the right to jeopardize the Salmon and Steelhead resource further through lack of action or commission of detrimental actions.

The policies as set forth by the Legislature are listed in Chapter Eight, Part One of Division 6 of the Fish and Game Code. These policies are:

1. That it is the policy of the state to significantly increase the natural production of Salmon and Steelhead Trout by the end of this century.
2. That it is the policy of the state to recognize and encourage the participation of the public in privately and publicly funded mitigation, restoration and enhancement programs
and
3. That it is the policy of the state that existing natural salmon and steelhead trout habitat shall not be diminished further without offsetting the impacts of the lost habitat.

The California Advisory Committee on Salmon and Steelhead Trout now recommends to the Legislature that you create the legislation that will provide the necessary long term funding to implement these "POLICIES" that you have set forth.

Funding for the 2261 program has declined substantially since the passage of S.B.2261 in 1988. Meanwhile, funding needs have substantially increased since the program's inception due to inflation, identification of new problems and solutions, and in the near future it is likely that additional State matching Funds will be required for Federal programs similar to the Trinity and Klamath River Restoration Programs (CVP Restoration).

Inadequate funding plagues the S.B.2261 Program. Simply put, the Program is not receiving the funding it needs to meet the Act's goal of doubling the production of salmon and steelhead trout by the year 2000. The Act states that "the conservation and restoration of the salmon and steelhead trout of the state must be accomplished primarily through the improvement of stream habitat and the elimination of manmade factors which cause the loss of juvenile fish in California's stream systems."

In its 1989 report to the legislature, "Initial elements of the Salmon, Steelhead Trout and Anadromous Fisheries Program", the Department states that "a greatly intensified program of habitat rehabilitation in all California salmon and steelhead watersheds will be required to attain the Act's mandated goal to double the natural production of salmon and steelhead by the year 2000", and "substantial additional funding will be needed to pursue the goal..." The report goes on to say that "Funding sources must be found to carry out this work and expenditures should be substantially increased from the present level of \$5-6 million."

Although funding has been substantially increased to meet some, but not all, of the increased staffing requirements, funding for habitat restoration work has actually been substantially reduced from the 1988/89 level of funding. Since the report was submitted to the Legislature, not only has the total amount of money spent on restoration projects dropped (from \$4.3 million to \$3.1 million), but far fewer funding sources exist now than then (four now, compared with ten then.)

Three of the remaining four sources of present funding have such tight spending criteria attached to them that the potential for significantly increasing overall restoration expenditures with these sources is slight. Expenditures from these sources, at least in the near future, will likely not vary significantly from current spending levels, even though authorized funding levels for these sources are several orders of magnitude greater than the amounts spent.

The remaining funding source, Proposition 99 Public Resource Account revenues, has much more flexibility built into how it can be spent, and as such, provides opportunities for funding high quality projects that do not meet the rigid and restrictive funding criteria of the other three sources. The discretionary freedom that allows the Department to allocate this money in a more effective fashion unfortunately is the very reason why so little of the revenues that should be going into salmon and steelhead restoration projects is actually being used for this purpose.

Five percent of the Tobacco Tax and Health Protection Act revenues are deposited in the Public Resources Account, half of which are to be spent on "programs to protect, restore, enhance or maintain fish, waterfowl, and wildlife habitat on an equally funded basis". The Act further provides that the money will be spent solely "to supplement existing levels of service and not to fund existing levels of service".

Valid questions have been raised about whether funds allocated to fisheries is being spent according to the statute's provisions and consistent with the Act's intent. By developing and implementing a set of spending priorities, the Department could curtail inappropriate expenditures of these funds, and would result in a significant increase in the amount of these funds allocated to the S.B. 2261 Program's grant program. This would be a significant short-term improvement in the Department's capability to implement planned restoration projects.

This will not, however, come even close to solving the grant program's funding problems. New long-term funding sources with flexible allocation criteria must be created in the next couple of years. If not, only a fraction of the habitat needed to support a doubling of natural production will be of suitable quality by the year 2000. It is sobering to realize that in fiscal year 1985/86, three years before S.B. 2261 was signed into law, \$7.4 million, a little more than twice the current year's expenditures, was spent on restoration projects. Since then, all funding sources created through the legislative process have either ceased existing or have become inaccessible.

Current Department efforts to utilize their meager salmon and steelhead habitat restoration money to it's greatest advantage are constrained by the state Legislature's failure to create a funding source for the state match of Federal expenditures by the Trinity River Basin and Klamath River Basin restoration programs. State money which is currently being spent in these drainages could be diverted back to other North Coast basins with widespread habitat degradation problems, like the Mattole, Gualala, and Russian Rivers, if a new funding source for these Federal programs could be created.

The Advisory Committee finds that unless funding for salmon and steelhead habitat restoration is quickly and substantially increased, the Department will be unable to meet the production goal mandated by the Legislature in the California Salmon and Steelhead Trout Conservation and Restoration Act of 1988. Since funding from current sources cannot be substantially increased, it is essential that new funding sources be identified and created.

For example, screening of water diversions in the Sacramento River and the Delta which entrain salmon, steelhead, delta smelt, and striped bass is a fundamental restoration project and a major line item which could amount to a fiscal need of hundreds of millions of dollars. Failure to adequately screen diversions will not only negate fishery restoration actions, but it will ultimately lead to the shutdowns of important agricultural and urban water supplies. The shutdowns and fines experienced by the Glenn-Colusa Irrigation District and the Anderson-Cottonwood Irrigation District for taking winter-run salmon are just the beginning of what could be a major shutdown of most water pumps from Shasta Dam to the Delta. This is a fundamental problem that can be solved by additional funding.

Unfortunately, according to the Fish and Game Code, the State of California may be required to foot the bill for screening some of the largest and most costly diversions in the state. That is a situation that the taxpayers can ill afford at this time of rising budget deficits and recession. At the same time, the legal problems and potential costs to the agricultural community and municipal and industrial water users are staggering. It is time for all parties to work together to create a win-win situation.

The Salmon and Steelhead Advisory Committee recommends that the Legislature develop a multi-faceted solution to the funding issue, which would include reducing the state's financial liability for unscreened diversions, while at the same time, increase revenues and provide financial incentives to water users who take the initiative to correct problems such as unscreened diversions, thus utilizing a "carrot and stick" approach.

The multi-faceted solution for funding recommended by the Salmon and Steelhead Advisory Committee includes the following:

1. Enact a fee on the gross tonnage of sand and gravel extracted pursuant to the Surface Mining and Reclamation Act to be deposited into an account for the express purpose of restoring fish habitat and rebuilding fish populations affected by sand and gravel extractions.

2. Enact S.B. 2390 (2/18/88, see "Restoring the Balance"), which requires changes in the Fish and Game Code relative to responsibility for payment of screening water diversions. This bill could significantly reduce the state's liability for screening water diversions.

3. Enact S.B. 959, which requires payment of a "water tax" on urban water users, with a portion of the proceeds to be deposited into an account for fisheries restoration.

4. Enact a bill which would be similar to S.B. 959, except that the water tax would apply to agricultural water users. A specified portion of the revenues would be placed into a revolving account to be used for the purposes of providing no-interest loans for the screening of water diversions by owners of those diversions.

5. Levy highway-based fees to reflect the ongoing, annual impact of roads and highways on wildlife and fishery habitat.

6. Charge recreational fees and or/taxes on non-hunting and fishing recreational use of habitat, such as skiing and hiking.

7. Implement population impact fees to reflect the pressures and demands by the increasing population on fish and wildlife habitat in the State of California.

8. Levy nonpoint discharge fees on pollution that originates from a variety of sources difficult to identify that negatively affect wetlands and aquatic habitat areas.

9. Wastewater discharge fees could also be increased to reflect the impact of wastewater discharges on fish species and habitat.

WATER POLICY REFORM

There are several initiatives before Congress and the State Legislature to reform water policy in California. Most notably, the Katz, S.B. 2090 before the state Legislature, and the Miller/Bradley vs. Seymour/Herger/Dooley bills before Congress. In looking at the Federal bills, it is important to note that in 1990, at the request of the Advisory Committee, the California Legislature passed the Senate Joint Resolution 26 advising Congress and the President to halt the sale of 1.5 million acre feet of "uncommitted CVP yield" which we now know does not exist. It should also be noted that goals of S.B. 2261 to double anadromous fish populations provides the cornerstone of the Miller/Bradley bills. As pointed out in our 1988 report, "Restoring the Balance", the structures proposed in the Seymour/Herger/Dooley bill will surely fail without the policy improvements proposed in the Miller/Bradley bill.

The prospect of providing for California's growing water needs through the use of unfettered water transfers is tantalizing to many, including the Salmon and Steelhead Advisory Committee. However, complete deregulation of water transfers from farms to cities could result in economic and environmental problems worse than the problems it is trying to reduce. Increased Delta exports and the accumulation of water in the hands of the wealthiest are some of the potential problems associated with S.B. 2090.

In regard to water policy, the Salmon and Steelhead Advisory Committee recommends the following:

1. That the Legislature memorialize Governor Wilson, President Bush and the Congress to support and enact the Miller/Bradley CVP Restoration bills.
2. That the Legislature pass an amended S.B. 2090 to allow water transfers between State Water Project contractors only. Consideration of all deregulation of water transfers for all water users could be evaluated after three years.

FOREST PRACTICES

The California Advisory Committee on Salmon and Steelhead Trout recognizes the improvements made in protecting our fisheries resources during timber harvesting since the passage of the Z'berg/Negedly legislation in the 1970's and subsequent regulation of logging and associated road building on private land in California. The Legislature, the Board of Forestry (BOF) and the California Department of Forestry and Fire Protection (CDF&FP) are attempting to further those reforms through legislative and administrative processes. However, the damage from past and present timber harvest activities continue to have impacts on salmon and steelhead resources throughout the state. In particular, the CDF&FP continues to approve harvest plans in watersheds severely impacted from past logging practices, even though Federal land management agencies such as the U.S. Forest Service and Bureau of Land Management would not allow continued logging in such degraded watersheds. Examples include the Mattole River, Grouse Creek in the South Fork Trinity and Grass Valley Creek in the Trinity River Basin.

Grass Valley Creek in Trinity County is a prime example of misplaced priorities and resources. Despite the expenditure of approximately \$30 million through the Trinity River Task Force to reduce sediment discharges into the Trinity River, timber harvest activities are proceeding at this very minute under "state of the art" timber harvest plans which allow winter hauling of logs over a \$1 million road. The road was constructed by the Trinity River Task Force, with fishery restoration funds for the purpose of reducing siltation of the Trinity River. Incidentally, that road was constructed with 15% state matching funds. Reforms are necessary in the Forest Practice Act, and the Advisory Committee believes that the "Grand Accord" provides a base to expand upon.

The Salmon and Steelhead Advisory Committee believes that the Grand Accord falls short of what is necessary for protection and restoration of fisheries resources. In particular, the Advisory Committee believes that the Grand Accord should be amended as follows:

1. Delete the provision allowing the Department of Fish and Game to delegate its 1600 permitting authority to CDF&FP. The Department of Fish and Game has the expertise in this area and it relies heavily on money generated from its 1600 permitting authority. Proponents of this provision state that it is not likely for the Department to delegate its authority, the Grand Accord merely provides the opportunity. If it is not likely to occur, why include it?

2. Provide a seat on the Board of Forestry for a person who makes a living from the salmon/steelhead fishery. This could either be a commercial fisherman or a sportfishing guide/charter boat operator. The current and proposed make-up of the Board of Forestry does not provide for inclusion of a person who makes a living from salmon and steelhead, even though forestry activities seriously impact the fisheries resource. The opportunity for individuals directly affected by the current timber harvest regulations to participate in the process which led to the current legislative package appears to have been intentionally kept to a minimum. Those who depend on the forests, through the fisheries dependent on those forests, need to be given more opportunity, and therefore more responsibility, in the management of those forests. Provide a minimum of at least one seat on the Board of Forestry for a member of the fishery industry.

3. Provide clear language in a forestry reform package that allows and requires substantial watershed improvements to be made as a condition of approval of new timber harvest plans in sensitive watersheds which are beyond the threshold of concern for cumulative watershed impacts. The substantial improvements would go beyond anticipated impacts from the planned timber harvest activities and provide restoration of sensitive watersheds so that there is a net improvement in the condition of the watershed. The watershed improvements would be required to be maintained for a period of at least 15 years after the completion of timber harvest activities.

4. Include a provision identical to S.B. 1335 (3/6/87-see "Restoring The Balance") which would authorize the Department of Fish and Game and the State Water Resources Control Board to enter and inspect land at any time during the life of a timber harvest plan.

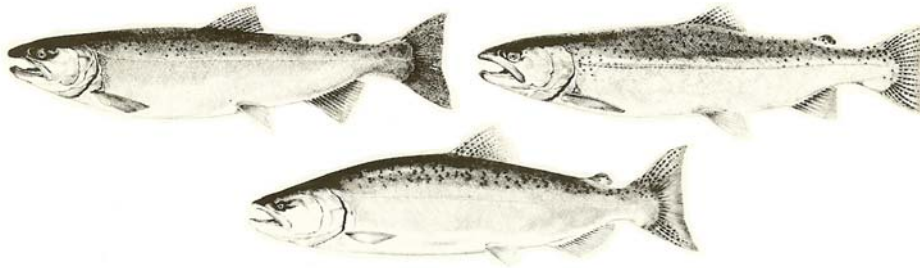
ENFORCEMENT OF THE FISH AND GAME CODE

A recent article in the San Francisco Examiner detailed an internal memo from the Department of Fish and Game's Legal Advisor, Eugene Toffoli, to the Attorney General's Office. In short, Mr. Toffoli blasted the AG's office for lack of cooperation in prosecuting violators of the Fish and Game Code.

It is evident to the Advisory Committee that all of the money being spent on fish and wildlife restoration and enhancement will be money down a rathole without adequate prosecution of Fish and Game Code violators. Lack of adequate prosecution not only negates restoration efforts, but it can contribute to the decline of species to the extent that they will become eligible for endangered species listing. The Sacramento winter-run chinook is a prime example. Enforcement of code provisions requiring screening of diversions and passage of fish through dams could have prevented listing of that species as "endangered".

To alleviate this chronic, long-term problem, the Salmon and Steelhead Advisory Committee recommends that the Legislature enact legislation which allows the Department of Fish and Game to prosecute violators of the Fish and Game Code if assistance from the Attorney General's Office and the County District Attorneys has been requested by the Department and been denied, or no response has been received within 60 days of said request. The legislation should also substantially increase fines for Fish and Game Code violations, with the increase of fine monies to be directly deposited into a special account to hire special prosecutors for the Department.

Appendix J – 2008 Report to Joint Committee



California Advisory Committee On Salmon and Steelhead Trout

Good afternoon, Senator Wiggins and members of the Joint Legislative Fisheries and Aquaculture Committee – and our friends from the Department of Fish and Game.

I am Vivian Helliwell. I am a former commercial salmon fisherwoman. I have chaired the California Advisory Committee on Salmon and Steelhead -- the “CAC”, or “Advisory Committee” as it has become known over its many, many years of work to protect and restore California’s native fish resources, since 2005.

I am accompanied today by Tom Weseloh, a member of our Advisory Committee. Tom has been especially diligent for a great number of years concerning the Committee’s statutory responsibilities for assuring the proper prioritization of fish habitat restoration grant funds.

I would like to make two closely-related points clear right up front :

We appreciate very much Senator Wiggins’ willingness to take on the resurrection of the Joint Legislative Fisheries and Aquaculture Committee – we nearly despaired that this 35 year old and vital tradition was going to be lost from the Capitol’s institutional memory, just as so many other useful endeavors have fallen victim to California’s term limit law.

And we especially appreciate that in pulling the Joint Committee together, virtually on the run, that you all were able to work with Senator Wiggins to restore necessary funds to California’s 30 year old fish habitat restoration grant program.

We thank you very much.

As you can see, I am emphasizing just how very long these institutions and programs have been in place in the Capitol and in State government.

What they represent are quite literally tens – if not hundreds of thousands of hours of dedicated volunteer effort by the men and women of California who are determined that our native fish resources shall endure and continue to contribute to our state’s economy.

I have taken the liberty of attaching to my statement here “A Forty Year History of Citizen Activism on Behalf of California’s Native Fish Resources”. It is, for those of us who serve on the Advisory Committee a very proud and, we believe, important history.

The Advisory Committee is a “plural body” of the sort that the California Legislature has used to extend its reach, and to keep in closer touch with constituents and interest groups since the very first days of the State more than 150 years ago. Our Advisory Committee has been around a long time – since 1969. The members participate in the Advisory Committee’s deliberations on their own time. They drive long distances, as they did to meet early this morning at the Wildlife Center near Davis.

What is it that motivates people to work so hard, without compensation, for the purpose of having a modest slice of California’s fish conservation political action – enough to be able to stay informed so that they may share their knowledge and concerns with State officials and the committees of the Legislature ?

I stumbled across the “Bagley-Keene Open Meeting Act” in the California Government Code the other day while looking for something else, and was struck by its down-to-earth introduction:

“11120. It is the public policy of this state that public agencies exist to aid in the conduct of the people’s business and that the proceedings of public agencies be conducted openly so that the public may remain informed

.....

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”

California State government is Big Government. It is complex, and to understand it well demands a great deal of time. California legislators must, of necessity, keep their eye on the big ticket issues – education, health, the state’s infrastructure.

Fish – salmon and steelhead – may seem a small-ticket issue. Their conservation is, however, a deeply-rooted need for many, many Californians and California communities – and a right for even those in our society who rarely think of rivers, and wetlands, and the health of coastal environments. Neither we nor they have “yielded our sovereignty”.

Our fishermen have just been through several terribly painful weeks of deliberations with their “public servants” -- to use the Bagley-Keene terminology. The result has been a decision – driven by science, some would say, or by the raw power of our public servants, as some may see it – to shut down all salmon fishing the length of the California coast.

Ironically, the Advisory Committee which I am privileged to chair, was born out of precisely such a dilemma as that which we face this year.

In late summer, 1968, as you will see from the attached “Forty Year History”, then- California Fish and Game Director Walter Shannon summoned fishermen to discuss the findings of his salmon managers that the number of salmon returning to the Sacramento River had dropped suddenly and inexplicably.

It was, according to the old-timers, a dreadfully somber meeting.

Now remember, this was before the 1973 Endangered Species Act. It was before the 1976 Federal Fishery Conservation and Management Act, the “Magnuson Act”, created the four-state regional Pacific Fishery Management Council (PFMC), headquartered in Portland. This was in the rough-and-tumble days when it was just the Fish and Game director staring down his very own fishermen.

What happened that night, I am told, is this : One fishery activist who many of the fishermen looked to for leadership suddenly got up on his feet and bellowed that this was all wrong – that if there were problems confounding Sacramento River salmon production, then let’s get them out in the daylight and do something about them.

Those who were there believed that he, Bill Grader of Fort Bragg – Zeke’s father – sensed, most likely correctly, that one fishless season would lead to another, and another, and another the very dread that our fishermen have lived with since January, when the letter from PFMC director Don McIsaac arrived, telling of the precipitous and inexplicable collapse of Sacramento River fall run chinook salmon this time.

Mr Grader and the fishermen came across the street the very next morning and met with Assemblywoman Pauline Davis, then chair of the Assembly Committee on Fish and Wildlife. They shared with Mrs Davis their concerns and their ideas of what was happening to the rivers and the salmon populations that depended on them.

Mrs Davis responded by introducing legislation to create the California Citizens Advisory Committee on Salmon and Steelhead. That was in 1969. The Advisory Committee has been active in one form or another ever since.

It wasn’t until the Advisory Committee was first funded in 1985, however, that it was able to hire its own investigators. One of those Advisory Committee consultants, Dick Hallock, a highly-respected, but retired California Department of Fish and Game Central Valley salmon management expert revealed – 20 years after the fact – that the collapse of Sacramento River chinook salmon in the late-1960s could be laid to the start-up of operations at the US Bureau of Reclamation’s Red Bluff Diversion Dam in 1964.

The original Red Bluff fish ladders couldn’t pass salmon to the prime spawning grounds above. They were replaced during the 1980s.

The old-timers shake their heads and wonder : would there be any salmon in the river today if Bill Grader had not led the walk-out of the meeting in the Resources Building that evening 40 years ago ?

Shifting gears here a bit – and coming into the home stretch with my comments – the State Water Resources Control Board conducted a two-year Bay Delta water quality/water rights adjudicatory proceeding back in 1986 through 1988. I am told that the hearings piled up something like 40,000 pages of testimony and 14,000 pages of technical exhibits.

The upshot of the State Water Resources Control Board's 1986-88 Bay Delta hearings was a finding – not a guess, nor a feeling, nor a sense – but a finding, based on the mountain of science before it, that 1.6 million acre-feet of water each year, above-and-beyond that reserved by the State for the such purposes in earlier proceedings, was needed to assure safe passage for juvenile Sacramento River fall run chinook salmon from the river, past the Delta pumps, into the safety of San Francisco Bay and the ocean.

The political fall-out from that 1988 Draft Bay-Delta Decision was predictable, I suppose. The chair of the SWRCB was told that if he wanted his name to remain before the Senate Rules Committee for confirmation (he was up for reappointment) that he would figure out a way to repudiate that 1988 Draft Delta Decision – which he did.

When Congress reauthorized the federal Central Valley Project – the Central Valley Project Improvement Act, or “CVPIA”, of 1992 * -- it specifically recognized the need for more freshwater outflow through the Delta to assure juvenile chinook salmon survival.

The Act directed the US Department of Interior – the Bureau of Reclamation – to release 800,000 acre-feet of fresh-water from Central Valley Project reservoirs for the purpose, the federal government's “fair share” of the 1.6 million additional acre-feet of water found necessary by the State Water Board in 1988.

Before that 800,000 acre-feet of water for Sacramento River fall run juvenile chinook salmon could be programmed into the CVP's operation there was a dramatic leadership overturn in Congress. California returned to water politics-as-usual immediately.

There are many who say that this year's anticipated Sacramento River chinook salmon stock collapse can be traced directly to the government's failure to implement the CVPIA's salmon restoration provisions.

As I said, California is a big place. And with its constant growth come constant growing pains.

If the California Advisory Committee on Salmon and Steelhead has helped over the past 40 years to ease those pains where it comes to protecting our native fish resources, we were only too glad to do it.

*Details of how our Advisory Committee's work, including the inclusion in the California Fish and Game Code of a policy to double the natural production of salmon and steelhead in California over that of the 1980s, set the stage for the CVPIA its salmon doubling program, and the need for more Delta outflow for salmon, are provided in the attached Forty Year History

If we have served a bit as the eyes and ears of the Joint Legislative Committee on Fisheries and Aquaculture and other interested committees of the California Legislature, then we shall have served our purpose.

Thank you.

Attachment : Forty Year History

A FORTY YEAR HISTORY OF CITIZEN ACTIVISM ON BEHALF OF CALIFORNIA'S NATIVE FISH RESOURCES

1968	July 11, 1968: CDFG Director Walter Shannon issues a letter and report, "Decline in the CV King Salmon Resource"; invites interested parties to an evening meeting to discuss 1969 fishing season prospects; proposes closing the 1969 season. Fishermen follow Fort Bragg fisheries activist Bill Grader in what amounts to a walk-out of the meeting; resolving to seek help for salmon from the Legislature. Grader and the fishermen meet the following morning with Assembly Fish and Game Committee chair Pauline Davis, provide Assemblywoman Davis with draft salmon protection legislation.
1969	Assemblywoman Davis sponsors legislation creating the California Citizens Advisory Committee on Salmon and Steelhead Trout ("CAC"), to provide a voice for salmon conservation and restoration
1969-70	Mr Grader enlists, chairs CAC of commercial and recreational salmon fishing interest group representatives, including charter boats, National Wildlife Federation; Trout Unlimited, Salmon Unlimited, CalTrout; employs Jones & Stokes Associates environmental planning firm founder, former CDFG deputy director Bob Jones to provide staff services to CAC (Grader ends up fund-raising to pay Jones)
1971	CAC issues its first report to the Legislature, DFG Director, and Fish & Game Commission, "An Environmental Tragedy"; seeks legislation to protect key salmon spawning grounds from gravel dredging; improve river flows, improve hatchery production
1972	CAC issues "A Conservation Opportunity" report, seeking partnerships with State and federal resource agencies on salmon and steelhead restoration
1973	Assemblyman Barry Keene convenes first Legislative Fisheries Forum to provide fishermen and others the opportunity to air their concerns, propose actions to protect and improve freshwater and marine fish resources and fisheries. At Keene's request Joint Rules Committee creates Joint Committee on Fisheries and Aquaculture; Forum becomes annual Capitol event followed each year by a seafood reception provided, prepared by fishermen and their wives -- which becomes one of the most popular legislative receptions of each year thereafter
1975	CAC issues "The Time is Now" report of recommendations on eve of Congress' passage of US Senator Magnuson's Federal Fishery Conservation and Management Act, which is directed in large part at ending foreign vessel encroachment on US coastal fish stocks, including salmon
1976-82	CAC takes a breather to participate in implementation of the Magnuson Act, works to gain salmon protections under its federal provisions -- which created, among other things, the Pacific Fishery Management Council
1983	After two particularly poor fishing seasons, Legislature adopts Senate Joint Resolution 19 (re)creating the California Advisory Committee on Salmon and Steelhead Trout ("CAC-2")
1984	With CDFG assistance, the CAC, under the chairmanship of Earl Carpenter (Bodega Bay's "the Captain"), organizes volunteer watershed committees to assess salmon and steelhead conditions in each major salmon watershed/watershed region of the state, and to identify salmon and steelhead restoration priorities. CAC begins to sense need for its own staff. Jt Fisheries Committee members seek appropriation for CAC
1985	At CAC's urging Legislature creates permanent Fisheries Restoration Account in the Fish and Game Preservation Fund, Keene-Nielsen Fisheries Restoration Act of 1985. (Expenditures from the Account are later keyed to the CAC-developed 1988 Fisheries Program; CAC's role in directing, assuring restoration-targeted application of Account funds is specified in Fish and Game Code Section 2762.6)
1986	With \$350,000 appropriated to CDFG, then redirected to Jt Rules Committee, CAC hires former DFG fisheries scientist and long-time CA Legislature staffer Bill Kier, issues report "The Tragedy Continues" with substantial assistance from Assemblyman Bob Campbell's aide, CAC member and fisheries scientist Cindy Deacon Williams
1987	Now with its own staff, CAC accelerates work of regional watershed groups; produces an economic evaluation of potential statewide salmon restoration effects; creates a CA salmon conservation education curricula for four different grade levels; retains University of CA specialists in resource restoration planning, prioritization; CAC member Alan Lufkin publishes UC Press' "California's Salmon and Steelhead : The Struggle to Restore an Imperiled Resource" http://ark.cdlib.org/ark:/13030/ft209nb0qn ; CAC engages additional professional help with outreach and report preparation; produces award-winning video "Salmon and Steelhead : On the Edge".

1988	CAC produces its final major report, "Restoring the Balance"; prepares and advances SB-2261(Jt Fisheries Committee), California Salmon, Steelhead Trout, and Anadromous Fisheries Program Act, F&G Code Sections 6900 et seq.; SB-2390, to place greater fish-screening responsibilities on large water diverters; SB-1335 (McCorquodale) increasing water quality protection responsibilities on logging operations; and SJR-43 (Jt Fisheries Committee/McCorquodale) calling on the President and Congress to rein in US Bureau of Reclamation's attempts to sell the last of its Central Valley Project water lest it prove needed for Delta fisheries protection. SB-2261 and SJR-43 set the stage for the federal Central Valley Project Improvement Act calling for restoration of fish and wildlife damaged over the years by development and operation of the CVP, by calling CVP water sales practices into question and by establishing State policy to reverse decline and double salmon and steelhead over 1980s levels. CAC tops year off with seafood reception at California Academy of Science's Steinhart Aquarium, "In Celebration of Salmon", and honors nearly 200 California environmental educators present, gifts each with a copy of the "Restoring the Balance" report, "On the Edge" video and an On the Edge-art poster for their classroom
1989	CAC concentrates on CDFG's implementation of the Salmon, Steelhead Trout, and Anadromous Fisheries Program Act, which calls for DFG developing a watershed-scale salmonid restoration plan for each of the identified key salmon watersheds/watershed regions of the state. Proposition 98, adopted by voters the same year guarantees funding for K-12 education, constrains funding available for the new State programs, including DFG's SB-2261 initiative
1990	CA Congressman George Miller, chair of the water and power subcommittee of the House Interior Committee, introduces CAC's legislation to reauthorize Central Valley Project Act to include fish and wildlife conservation as full Project purposes, and to create salmon doubling program to make up for CVP's decades-long damage to Central Valley salmon stocks
1991	CAC and Miller's staff interest US Senator Bill Bradley, chair of the Senate's subcommittee on water and power, in co-authoring what becomes the Central Valley Project Improvement Act (CVPIA)
1992	President George H. W. Bush signs CVPIA (P.L 102-580, Title 34) into law in on 10/31/92, creating Anadromous Fish Restoration Program directing the US Dept of Interior to double the number of salmon in CVP-impacted watersheds over the late-'80s/early-'90s base years period
1997	State Senator Mike Thompson's SB-271 creates permanent funding source (as permanent as anything in dynamic California gets) the Pacific Coastal Salmon Recovery Account, by tying into State's tidewater oil revenues, Public Resources Code Section 6217.1. This legislation affirms CAC's role in guiding expenditures from the Account
1999	Keying off SB-271, Senator Wes Chesbro's SB-291 requires Resources Secretary to report annually through Jt Legislative Budget Cmte how the State is reconciling various fish habitat grant funding sources, including federal Pacific Coastal Salmon Recovery Fund. Bill double-joins with SB-1030 (Sher), which, among other things specifies CAC's role in assuring effectiveness of fish habitat restoration expenditures.
1993-2008	CAC continues its work with Legislature's Jt Fisheries Committee, CDFG, and other responsible agencies to implement California Salmon, Steelhead Trout, and Anadromous Fisheries Program Act, Anadromous Fish Restoration Program, other statutes and programs of interest
2007	Legislature withholds fish habitat restoration funding for the first time since CAC activists first secured it in 1978. Funds become a pawn in debate over Administration's failure to provide sufficient salmon protections in forest practice regulations
2008	Jt Legislative Fisheries Committee chair Senator Patricia Wiggins authors SB-562, restores funding for fish habitat restoration; CAC participates in 35th annual State Capitol Fisheries Forum

Appendix K – Senate Joint Resolution No. 19

5514

STATUTES OF 1983

[Res. Ch. 141

RESOLUTION CHAPTER 141

Senate Joint Resolution No. 19—Relative to salmon and steelhead trout fishery.

[Filed with Secretary of State September 16, 1983.]

WHEREAS, The value of California's commercial fishery is one and a quarter billion dollars (\$1,250,000,000) annually and the value of the California recreational fishery is estimated to be four hundred million dollars (\$400,000,000) annually; and

WHEREAS, The salmon fishery constitutes a significant part of California's commercial and recreational fishery; and

WHEREAS, The salmon fishery is important for food, jobs, and recreation, and to the local economies of central and northern California coastal communities; and

WHEREAS, The salmon resource of California has declined as much as 50 percent from the historical levels, due primarily to the damage done to the in-river spawning and nursery habitat of salmon; and

WHEREAS, The state of California and commercial and recreational fishermen have made a commitment to the restoration of California's salmon resources through stream restoration projects, increased in-river water flows, expanded hatchery production, and rearing-pond and hatch-box programs funded by money from nonrenewable resources, from the fishermen themselves, and from private contributions and assessments on catches; and

WHEREAS, The federal Pacific Fishery Management Council and the Department of Commerce have sought to manage California's salmon fishery on the basis of salmon runs to the Klamath-Trinity and the Upper Sacramento Rivers; and

WHEREAS, The federal government has failed to mitigate the full fish losses at the Trinity Fish Hatchery that occurred from the loss of spawning and nursery habitat above the Trinity and Lewiston Dams, which the hatchery was to mitigate; and

WHEREAS, The federal government has not provided full funding to replace salmon spawning gravels lost below the Lewiston Dam; and

WHEREAS, The federal government has not solved fish passage problems at its Red Bluff Diversion Dam, which was built to provide water for irrigation and to enhance the fisheries; and

WHEREAS, The federal government has not provided full funding for salmon spawning gravel below Keswick Dam or operated efficiently its Tehama-Colusa Spawning Channel on the Upper Sacramento River; and

WHEREAS, In 1982, as a result of California's salmon restoration programs, California fishermen had one of their best salmon harvests in recent years and salmon spawning escapement into most of California's river systems was above average; and

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WHEREAS, The Pacific Fishery Management Council has proposed, and the Secretary of Commerce has enacted, a season and regulations for 1983 to severely restrict the California salmon fishery; and

WHEREAS, The restrictions have been enacted with no guarantees by the federal government that more spawning habitat will be made available by solving in-river problems that the federal government has created; and

WHEREAS, The number of salmon caught by the California commercial salmon industry in 1983 has suddenly, unexpectedly, and drastically dropped to the lowest levels in 25 years; and

WHEREAS, The average size and weight of salmon caught in 1983 has also dropped to the lowest level in 25 years; and

WHEREAS, The disastrous catches in 1983 are attributable to the sudden and unexpected appearance of anomalous ocean conditions, commonly known as El Nino, marked by the absence of normal upwellings, high water temperatures, and scarcity of prey for salmon; and

WHEREAS, The anomalous ocean conditions in 1983 are not part of a general trend, but constitute a physical disaster similar to a hurricane, earthquake, or drought; and

WHEREAS, The combination of fewer and smaller salmon in 1983 and the lack of private financial assistance on reasonable terms has forced many salmon fishermen to the point of insolvency, default, and bankruptcy; and

WHEREAS, Commercial fishermen are virtually without recourse to federal or state disaster relief assistance programs; and

WHEREAS, The United States Small Business Administration is authorized to make or guarantee loans as necessary to victims of economic injury caused by physical disasters; and

WHEREAS, The Legislature previously has respectfully memorialized the President and Congress of the United States to create a separate federal fishery management council for California; and

WHEREAS, Representative Glenn Anderson of California has introduced HR 2351 to create a separate federal fishery management council for California; and

WHEREAS, The Subcommittee on Fisheries and Wildlife Conservation and the Environment of the Committee on Merchant Marine and Fisheries of the House of Representatives has conducted hearings in Long Beach, Monterey, and Eureka on HR 2351 and has found widespread support for creation of a separate federal fishery management council for California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the President and Congress of the United States and the Secretary of the Interior to mitigate fully all fish losses that have occurred above the Trinity and Lewiston Dams, provide funding for spawning gravels below the Lewiston Dam on the Trinity and the Keswick Dam on the Upper

Sacramento River, solve the fish-passage problems at the Red Bluff Diversion Dam, and turn over the operations of the Tehama-Colusa Spawning Channel, with annual funding, to the Department of Fish and Game of this state; and be it further

Resolved, That the Legislature finds and declares that the anomalous conditions off the coast of California associated with El Nino in 1983 constitute a physical disaster that is causing severe economic injury to the commercial salmon fisheries of California; and be it further

Resolved, That the Legislature respectfully memorializes the President and Congress of the United States, the United States Small Business Administration, the Governor of California, and the California Office of Emergency Services to take the necessary steps to make federal Economic Injury Disaster Loans under the United States Small Business Administration's Physical Disaster and Economic Injury Loan Program available to California commercial salmon fishermen in 1983; and be it further

Resolved, That the Legislature reaffirms its support for creation of a separate federal fishery management council for California, with guaranteed representation for California commercial, recreational, and Klamath River American Indian fishermen, California seafood processors, and the California Department of Fish and Game; and be it further

Resolved, That the Legislature respectfully memorializes the President and Congress of the United States and the Secretary of Commerce to ensure that the Salmon Plan Development Team of any federal fishery management council, having authority over California, includes members representing balance of disciplines needed for optimum-yield management of the California salmon resource, and to include representatives of California ocean and inland salmon fishermen; and be it further

Resolved, That the Legislature requests all of the following:

(a) The Joint Committee on Fisheries and Aquaculture, in consultation with the Director of Fish and Game and the Fish and Game Commission, shall reestablish the Advisory Committee on Salmon and Steelhead Trout, which was created pursuant to Assembly Concurrent Resolution No. 64 in 1970, and shall appoint members to ascertain, study, and analyze all facts relating to the preservation, protection, restoration, and enhancement of salmon and steelhead trout resources of this state, including, but not limited to, the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon, or relating to, the subject of this resolution, to report thereon to the Joint Committee on Fisheries and Aquaculture and the Director of Fish and Game and to include in the report its recommendations for appropriate legislation.

(b) The Advisory Committee on Salmon and Steelhead Trout shall consist of persons having practical knowledge and experience in the following fields:

- (1) Four representatives of the commercial salmon industry.
 - (2) Four representatives of organized inland and ocean fisheries sportsmen's groups.
 - (3) One public member.
- (c) The advisory committee shall cooperate with, and secure the cooperation of, state and federal agencies, counties and cities, and local law enforcement agencies in investigating any matter within the scope of this resolution.
- (d) The advisory committee shall study and investigate all relevant matters, in order to provide for, and develop a program for, the preservation, protection, restoration, and enhancement of the salmon and steelhead trout resources of this state, including, but not limited to, the following matters:
- (1) The conduct of hatchery and stocking operations to achieve maximum contribution to the fishery and to spawning escapement.
 - (2) The rehabilitation, protection, enhancement, and preservation of all salmon and steelhead trout spawning areas and the maintenance of those areas in optimum condition.
 - (3) The expansion of hatchery and related artificial propagation facilities, where necessary and feasible, to achieve maximum production of salmon and steelhead trout consistent with protection of naturally spawning stocks.
 - (4) The screening of all existing major diversions on salmon and steelhead trout streams.
 - (5) The development and conduct of rehabilitation, enhancement, and restocking programs, to achieve maximum production in all streams with historic populations of salmon and steelhead trout.
 - (6) The coordination of state programs and activities with federal agencies to promote maximum contribution to the salmon and steelhead trout resources by the federal government.
 - (7) The developing of a comprehensive salmon and steelhead management plan for the State of California.
- (e) The advisory committee shall submit timely progress reports to the Joint Committee on Fisheries and Aquaculture and the Director of Fish and Game, and include, in these reports, any suggested legislation. The advisory committee shall also submit four annual reports to the Joint Committee on Fisheries and Aquaculture and the Director of Fish and Game. The advisory committee shall submit the first annual report on or before January 1, 1985, and shall submit the remaining reports on or before January 1st of each year thereafter; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Commerce, to the Secretary of the Interior, to the Director of the United States Small Business Administration, to the Speaker of the House of Representatives, to the Chairman of the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the Committee on Merchant Marine and Fisheries

of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Governor, Director of Fish and Game, President of the Fish and Game Commission, and Director of the Office of Emergency Services of this state.

RESOLUTION CHAPTER 142

Senate Joint Resolution 28—Relative to Vincent Chin.

[Filed with Secretary of State September 16, 1983]

WHEREAS, Asian Americans have been given unfair and unjust treatment historically in the United States; and

WHEREAS, Our American judicial system has failed to execute its duties and responsibilities in the handling of the prosecution in Detroit, Michigan, of the killers of Vincent Chin, a Chinese-American; and

WHEREAS, Vincent Chin's murder was the result of a racially-motivated attack by which could have been perpetrated against any Asian person, and as an Asian American he was blamed for the high unemployment in the Detroit area; and

WHEREAS, Numerous and substantial mistakes, inexcusable omissions, and material errors on the part of the prosecuting attorney, the attorney general, and the judge on the case have resulted in the criminals effectively going unpunished; and

WHEREAS, It is the criminal justice system which is entrusted to protect the rights of all those concerned, the state, the defendants, and the victim; and

WHEREAS, The protection of human rights demands that a heinous crime such as the killing of Vincent Chin be properly dealt with on behalf of all members of society; and

WHEREAS, It is the duty and obligation of the criminal justice system to alleviate and rectify all errors occurring in the administration of justice and the enforcement of the laws; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the President and Congress of the United States are respectfully memorialized to request the United States Department of Justice to undertake a prompt and thorough investigation of, and prosecution for, all federal civil rights violations that may have been committed against Vincent Chin; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and to the United States Department of Justice.

Appendix L

California Fish and Game Code § 2762.5 (2008)

§ 2762.5. Fisheries Restoration Account; Administrative costs of Advisory Committee on Salmon and Steelhead Trout

In addition to subdivision (b) of Section 2762, the moneys in the Fisheries Restoration Account may be expended, upon appropriation by the Legislature, by the department to fund the administrative costs of the Advisory Committee on Salmon and Steelhead Trout.

HISTORY: Added Stats 1986 ch 212 § 1, effective June 27, 1986.

Hierarchy Notes:

Fish & G Code Note
Div. 3 Note
Div. 3, Ch. 8 Note

California Fish and Game Code § 2762.6 (2008)

§ 2762.6. Allocation of moneys to pay costs of Advisory Committee on Salmon and Steelhead Trout

The department shall, after consultation with the Advisory Committee on Salmon and Steelhead Trout, allocate that amount of moneys appropriated to the department from the Public Resources Account in the Cigarette and Tobacco Products Surtax Fund which the department determines to be necessary to pay the costs for the advisory committee.

HISTORY: Added Stats 1989 ch 1400 § 4, effective October 2, 1989.

Hierarchy Notes:

Fish & G Code Note
Div. 3 Note
Div. 3, Ch. 8 Note

(This document reflects all urgency legislation enacted through 2007-2008 Third Extra. Session Ch. 7 and Ch. 265 of the 2008 Regular Session approved 8/4/08, and Proposition 99 approved by voters 6/3/08.)

Source: *Deering's California Codes [Electronic Resource]: Annotated*. Matthew Bender & Company, Inc., a member of the LexisNexis Group, 2008.

Appendix M

Partial listing of advisory bodies via which CAC members, former and current, have lent their expertise to assist DFG

- Upper Sacramento River Salmon and Steelhead Advisory Committee (1982): Alan Lufkin
- Range-Wide Coho Salmon Recovery Team (2002): Craig Bell, Mike Orcutt, Dr. Walter Duffy, Jimmy Smith, Vivian Helliwell, Tom Weseloh, Stan Griffin
- Salmon and Steelhead Recovery Coalition – (aka “Gang of 7”) (2002): Tom Weseloh, Jud Ellinwood, Craig Bell
- Steelhead and Coastal California Salmon Recovery Program Subcommittee (1993): Craig Bell, Tom Weseloh, Dr. Walter Duffy, Dr. Roger Barnhart, Nat Bingham, Stan Griffin, Bob Hayden, Vivian Helliwell
- Tehama/Colusa Canal Authority Stakeholders Group (2001): Mitch Farro
- Hatchery Review Subcommittee (2001): Mike Swaney, Dr. Roger Barnhart, Jimmy Smith, Mitch Farro
- Coho Recovery Plan Team (2002-03): Jimmy Smith, Vivian Helliwell
- Aquatic Conservation Subcommittee: (1997-2000): Nat Bingham, Vivian Helliwell
- Salmon and Steelhead Trout Restoration Project Review Committee/Peer Review Committee (formerly SB 271 Committee) (1998-Present): Tom Weseloh, Stan Griffin, Tom Stokely, Dr. Roger Barnhart, Jim Edmondson, Dr. Walter Duffy, Mark Kipp, Craig Bell
- Panel: Impact of Collapse on Fishing Communities (2008 Oversight Hearing, House Resources Subcommittee on Fisheries, Wildlife and Oceans): Roger Thomas
- Spring Run Chinook Salmon Workgroup: Nat Bingham
- Bay-Delta Ecosystem Roundtable: Nat Bingham
- Winter Run Captive Broodstock Committee: Nat Bingham
- Headwaters Forest Coordinating Committee: Nat Bingham
- Proposition 70 Committee: Nat Bingham, Jimmy Smith, Earl Carpenter, Tom Stokely, Stan Griffin, Tom Weseloh, Mitch Farro, Richard May, Alan Lufkin
- Salmon Stamp Committee: Jimmy Smith, Nat Bingham, Earl Carpenter
- Klamath Fisheries Restoration Task Force: Nat Bingham
- Fish, Forests and Farms Coalition: Nat Bingham
- Coastal Salmon Initiative: Nat Bingham
- Fishermen, Farmers and Foresters Committee: Craig Bell

Appendix N – 1986 Recommendations and Outcomes

1986 - The Tragedy Continues		
Page	Recommendation	Outcome
	Water	
9	The revision of water policies, laws and institutional arrangements is imperative and must be hastened in order to restore, preserve and enhance salmon and steelhead trout resources.	
	Economics	
11	In addition to making improved valuations of the many aspects of these resources, the Committee intends to contract with economists and other experts to consolidate these values into a new assessment methodology that calculates the full value of salmon and steelhead trout to the state of California.	
	Habitat	
13	In order for habitat <i>restoration</i> to occur most efficiently, the condition of salmonid habitat throughout California must be inventoried systematically. The potential for site-specific restoration should be assessed, along with potential solutions. Restoration needs should then be prioritized. Funds and effort can be expended on those projects which will be the most effective. Projects must be monitored regularly to help guide future decision-making. It is extremely important to base restoration efforts on a sound plan, beginning at the state level, as the need for restoration of salmonid populations is urgent and only limited resources are available for the task.	
	Hatcheries: Artificial Propagation	
14	An overall plan for hatcheries should be developed and should include a strategy and timetable identifying the role, contribution and the levels of production for all hatchery facilities.	
14-15	As a basic policy, those who construct facilities as mitigation for their actions must continue to provide the capital outlay for the operation, maintenance and improvement of these facilities.	
	Genetics	
16	A management plan for salmon and steelhead trout must include guidelines for planting hatchery stocks in areas where production in the wild already occurs. This will help protect the genetic character of wild fish and effectively utilize the production potential of artificial propagation.	

1986 - The Tragedy Continues

Page	Recommendation	Outcome
Interagency Coordination		
19	<p>Communication and coordination must occur with greater regularity between the agencies involved in production and utilization and the user groups. Further, agencies whose activities impact the fisheries must be required by law. If necessary, to work with fishery management resource agencies and include programs for salmon and steelhead trout as part of their management goals. The Committee is presently reviewing methods that will facilitate these types of relationships. In addition to the National Forest planning process and the county planning efforts previously mentioned, three more areas will be investigated specifically this coming year.</p>	
	<p>The California Forest Practices Act: This act is continually revised. Riparian corridor and anadromous fishery protection revisions are needed that provide for cooperation and coordination between agencies. The Forest Improvement Program contains funding capabilities for fishery restoration, but the program needs to be further developed and coordinated with other restoration efforts in California.</p>	
	<p>Resource Conservation Districts: These districts significantly influence the effect of agricultural practices on anadromous fish populations. Coordination of agricultural erosion control measures with the needs of anadromous fishes can assist specific fisheries habitat restoration efforts.</p>	
	<p>Water Allocation: Decisions on water allocation and diversions do not usually take into account the needs of anadromous fishes. County water districts and state/federal projects need to be aware of restoration efforts in the affected basins. Mitigation measures and projects must be evaluated and coordinated with the agencies responsible for fisheries management.</p>	
Research and Data Collection		
22	<p>To date, the Committee has found that the body of knowledge needed to improve management is growing; however, at least four times the current investment in research is needed. Coordination between agencies, management and research entities must be improved so that the data collected is pertinent and in a useable form. The development and use of new methodologies must be expanded. Models may be useful, but only as long as they use real life data and relate to real life systems.</p>	

1986 - The Tragedy Continues		
Page	Recommendation	Outcome
Legislative Action: Coleman National Fish Hatchery		
34	The Coleman National Fish Hatchery is an important element in the artificial propagation of anadromous fish in California. A resolution is in order commending Congress for appropriating funds of \$2.2 million for this hatchery.	Funds for Coleman National Fish Hatchery improvements were appropriated by Congress in 1986, but listed for deletion by the White House in January, 1987. Fortunately, Congress did <i>not</i> affirm the proposed Executive action by the required deadline in March, 1987; therefore, the appropriation is still available for the US Fish and Wildlife Service for much-needed improvements at this federal mitigation hatchery. (CACSSST 1987:33)
Legislative Action: In stream needs assessment		
34	AB 723 was recently signed into law and became effective on January 1, 1986. The legislation, among other things, provides \$500,000 to the DFG to develop proposed streamflow requirements pursuant to Section 10002 of the Public Resources Code. In order to meet the intent of the law, the following should be addressed: 1) The DFG will need an annual commitment of \$1.9 million in order to undertake the required analysis of ten streams per year. This funding should come from the General Fund, and must be addressed during the budgetary process; and 2) It must be impressed on the DFG that the in stream needs assessment should be conducted so as to assure that the proposed stream flow requirements allow for maintenance and restoration of the state's fisheries.	The Department of Fish and Game did not request funding beyond the \$500,000 for AB 723 instream needs assessments. The DFG reports it does consider the streamflow needed for restoration, as well as maintenance, when it conducts its instream determinations. (CACSSST 1987:33)
Legislative Action: Upper Sacramento River		
34	1) Efforts must be made to ensure that federal agencies meet their ongoing obligations for fishery restoration at Shasta and Keswick Dams both at the time of construction and in subsequent years.	There is much evidence that the federal government is <i>not</i> meeting the mitigation responsibilities resulting from its development of Shasta and Keswick Dams. The Coleman National Fish Hatchery was built as part of that mitigation but <i>state</i> fishery interests must constantly pressure the federal government to live up to its commitments. (CACSSST 1987:33)
	2) Action must be taken to establish annual "fish flushes" on the Upper Sacramento River. During specified times, water releases from Shasta Dam are increased to correspond to down migrations of fingerlings from Coleman National Fish Hatchery. Continuing State-Federal cooperation is essential in this endeavor.	Upper Sacramento River "fish flush" releases from Shasta are set forth as a federal requirement in the Fall, 1986 management plan for the Sacramento River winter chinook salmon. (CACSSST 1987:33)
	3) Support should be given to USFWS and DFG in stream studies in which the Upper Sacramento Salmon and Steelhead Advisory Committee is participating.	Funds from DFG's AB 723 instream needs studies have been made available for a specific streamflow study on the Sacramento River that is of interest to the Upper Sacramento River Salmon and Steelhead Advisory Committee. (CACSSST 1987:34)

1986 - The Tragedy Continues		
Page	Recommendation	Outcome
	4) Water diversions must be suspended (dam gates opened) from Red Bluff Diversion Dam to the Tehama-Colusa canal system when down-migrant fish need the water and agricultural needs are low.	Water diversions were suspended at the Red Bluff Diversion Dam on December 1, 1986, under the terms of the management plan for the Sacramento River winter chinook salmon. Diversions were briefly resumed in January, 1987, contrary to the recommendation of the Advisory Committee. (CAC SST 1987:34)
Legislative Action: Salmon Stamp Program		
34	We recommend reauthorization of this program.	The Salmon Stamp Program was reauthorized in 1986 through a bill carried by Senator Keene. (CAC SST 1987:34)
Legislative Action: SB 400		
34-35	We recommend moving forward with implementation of this legislation. The Committee will need additional funds above and beyond the SB 400 appropriation. The amount allocated has provided a good start on the project but an annual appropriation of a comparable amount will be needed to meet the directive. Also, personnel hiring ceiling restraints that interfere with full implementation of SB 400 should be removed.	Legislation to extend the life of SB 400 funds through the 1988-89 fiscal year was introduced by Assemblyman Costa and is pending before the Assembly. Still at issue are the subject of personnel ceilings and the lack of DFG positions necessary to administer these funds effectively. (CAC SST 1987:34)
Legislative Action: Coordinated Operating Agreement		
35	This agreement between DWR and the Bureau of Reclamation involves coordination between stratified water projects. The COA should include provisions for meeting the needs of fish and wildlife before contracts are issued to deliver water to existing users or to new users.	The Coordinated Operations Agreement was signed in early 1987 by Governor Deukmejian and the United States Commissioner of Reclamation. Weeks before the Agreement was executed, the Bureau of Reclamation "flooded" the State Water Resources Control Board with requests to increase its diversions from the Delta. The Bureau has not responded to inquiries regarding when it intends to complete the fish and water needs evaluations ordered by the Secretary of the Interior in December, 1978. The Legislature should ask Congress to impress on the Bureau the need to complete these evaluations in order to make intelligent decisions regarding any further commitments of water from the federal Central Valley Project. (CAC SST 1987:34-35)
Legislative Action: Salmon/Steelhead Trout Newsletter		
35	We recommend that the Joint Fisheries and Aquaculture Committee explore interest in publication of a comprehensive, statewide newsletter and the possibility of private or public funding.	There has been no specific progress on this recommendation. (CAC SST 1987:35)

1986 - The Tragedy Continues

Page	Recommendation	Outcome
Legislative Action: "In Celebration of Salmon and Steelhead Trout" Program		
35	We recommend a high visibility celebration highlighting the contributions of salmon and steelhead trout to California. The Joint Fisheries and Aquaculture Committee should work with appropriate organizations to identify what is necessary to implement this plan. The celebration should probably be centered in Sausalito to maximize media involvement, but should also include other coastal and inland locations.	It is likely that this celebration will accompany the sixth annual conference of the private California Salmon and Steelhead Restoration Federation. That conference will be held at the Marin Rod and Gun Club (Marin County) on February 27 and 28, 1988. The Advisory Committee's final report to the Legislature and the Director of the DFG will be available for public review and discussion at that time. (CACSSST 1987:35)
Legislative Action: Legislation to meet the needs of the Committee		
35	In order for the Committee to meet its legislatively mandated obligations, the following must occur: 1) Funding must be provided for legitimate Committee expenses; and 2) Individuals must be appointed to fill remaining open Committee seats.	Funding for the Advisory Committee's needs was provided in 1986 through a bill carried by Senator Mello. Appointments to the Committee were completed in 1986. Steps are being taken to extend the Committee's authority until July, 1989, to enable it to assist the Legislature and the DFG Director in implementing the recommended salmon and steelhead restoration and conservation program. The Committee is committed to completing the salmon and steelhead trout management plan during January, 1988. (CACSSST 1987:35)
35	Since the Committee was not wholly constituted during its first year and has not yet received financial support, the following accommodations should be made:	
	3) The life of the Committee should be extended another 18 months until July 1989; and	
	4) It should be specified that the next three annual reports shall be submitted by July 1 of each year, beginning with July 1, 1987.	

Appendix O – 1987 Recommendations

1987 - A New Partnership	
Page	Recommendation
	Water
11	The Legislature and the Department of Fish and Game should insist that the U.S. Bureau of Reclamation suspend its current Central Valley water marketing program.
12	The Legislature should insist that the Bureau of Reclamation's Central Valley Fish and Wildlife Task Force complete its determination of the water needs of fish and wildlife during 1987. These needs must be known when Congress considers the reauthorization of the Central Valley Project for fish and wildlife purposes.
12	The State Water Resources Control Board should be directed to delay consideration of the Bureau of Reclamation's petitions to alter its water rights permits until after the Board has completed its review of all major Delta water permits. This review is scheduled to begin in July, 1987.
13	The Legislature should direct the Bureau of Reclamation and the Departments of Fish and Game and Water Resources to determine how much of the storage at New Melones Reservoir on the Stanislaus River should be dedicated to improving fishery conditions on the Stanislaus River, San Joaquin River and across the southern Delta.
13	The Legislature should direct the Bureau of Reclamation, the Department of Fish and Game and the Water Resources Control Board to explore the potential for providing a fishery stream flow release from Friant Dam, including the conjunctive use of the New Melones storage, in order to restore the public trust fisheries.
13	The Legislature should ask the Secretaries of the Departments of Commerce and the Interior to actively pursue full implementation of the 12-point program to restore the Sacramento River winter run chinook salmon.
15	The Legislature should request that the Department of Fish and Game, the National Marine Fisheries Service and the American Fisheries Society review the 1986 "management plan" for the winter run of the Sacramento River chinook salmon. This plan should 1) identify all state and federal agencies whose actions bear directly on the health of the run; 2) specify the tasks to be completed and the policies to be pursued by each agency; and 3) require each agency to enter into an enforceable agreement to implement the tasks and policies described.
15	The Legislature should resolve that the US Army Corps of Engineers grant a permit of no more than one season's duration to the Glenn-Colusa Irrigation District (GCID). This one-year limit should continue until GCID can operate its pumps without significant damage to young salmon and steelhead.
16	The Legislature should direct the Department of fish and Game to provide the State Water Resources Control Board with a useful estimate of the damage done to the fisheries by state and federal Delta pumping operations. The information should be available prior to the Delta water hearings beginning in July, 1987 and should be widely disseminated to the public before being entered into the public hearing record.
16-17	The Legislature should appropriate full funding--\$2 million a year--for the Department of Fish and Game's program of determining the in-stream flow requirements for fish and wildlife.
17	The Legislature should direct the State Water Resources Control Board to develop a specific plan to increase monitoring and enforcement of water permits to an adequate level. The Legislature should appropriate funds to support this program.
18	The Legislature should recognize that mitigation hatchery workers are essentially contract employees of other agencies and should allow the Department of Fish and Game to exclude them from their personnel ceiling.

1987 - A New Partnership	
Page	Recommendation
18	The Legislature should insist that Pacific Gas and Electric Company (PG&E) fund a new fish screen at Van Arsdale Dam, in concert with the new fish ladder it will construct in 1987.
18	The Legislature should insist that Sonoma County provide its Healdsburg Dam with fish protection features.
Habitat	
21	The Legislature should 1) delineate a specific role for the Department of Fish and Game in the Forest Practices Act regarding the modification and review of timber harvest plans; 2) set forth a reasonable process for the arbitration of disputes between state forestry and fishery specialists; and 3) identify means for repairing logging-related damage to the fisheries.
22	The Legislature should amend the Governor's budget in order to continue the California Forest Improvement Program.
22	The state Administration and the Legislature must provide the state's \$1 million start-up share of the Klamath River rehabilitation program.
22	The Legislature should encourage early and deliberate consultation between the Klamath River Fisheries Restoration Council and the traditional representatives of the Karuk, Yurok and Hupa tribal entities. This will help fully determine the interests and expectations of these Indian peoples with regard to the restoration of the fishery resources of the Klamath and Trinity Rivers.
23	Legislation should be enacted that creates a major, on-going source of funding for fisheries restoration work, such as a 1988 bond proposition to the voters, patterned after recent successful, but limited, funding models.
Hatcheries: Artificial Propagation	
24	The Legislature should direct the Department of Fish and Game to step-up its search for environmentally-acceptable hatchery disease control agents.
24	The Legislature should ask Congress to provide funds to the US Army Corps of Engineers for steelhead mitigation facilities at Coyote Valley Dam and for related improvements at Warm Springs Hatchery.
Laws and Law Enforcement	
25	The Legislature should urge the Fish and Game Commission to amend Section 13.10 of Title 14 of the Administrative Code to authorize the Director of the Department of Fish and Game to extend or order closures when spawners are vulnerable due to low flow conditions. To avoid such problems in 1987, the Commission should grant the Director such authority on an urgency basis by September, 1987 and should consider appropriate revisions of the 1987-88 fishing regulations.
Genetics	
26	The Advisory Committee has recommended a general genetics policy to the Department of Fish and Game; it includes guidelines for the transfer of stock and eggs between watersheds. The DFG has commented favorably on the Committee's initiative, made some improvements and will adopt the policy as a guide for its fish-handling operations.
Research and Data	
26	The Advisory Committee hosted a two-day workshop at the University of California, Davis, in March, 1987. The objective of the gathering was to develop a program of research and research dissemination concerning California's salmon and steelhead trout resources. The Advisory Committee sent out several hundred invitations to scientists, landowners, resource managers, fishermen and conservation workers. The completed program will be a significant component of the Committee's 1988 report to the Legislature and the Department of Fish and Game.

1987 - A New Partnership	
Page	Recommendation
	Conservation Education
26	The Advisory Committee, through the American Fisheries Society, is contracting with educators and fishery workers in Humboldt County to develop a pilot classroom instructional unit concerning salmon and steelhead conservation. The unit will be tested in 75 classrooms in Humboldt and Del Norte counties. The Advisory Committee is exploring means for introducing the unit, after pilot testing, into California's urban school district.
	Interagency Coordination
26	The Advisory Committee determined that the focus of this work group should be expanded. It should include scrutiny of certain institutional issues, such as artificial personnel ceilings, funding limitations, problems with contracting out needed work, etc. These types of institutional problems must be examined as they impair California's ability to restore the salmon and steelhead fisheries to appropriate levels.

Appendix P – 1988 Recommendations

1988 - Restoring the Balance	
Page	Recommendation
Executive Summary	
7	The Legislature should declare it to be the policy of the state to double California's salmon and steelhead trout resources. It should direct the Department of Fish and Game to prepare a detailed report, including funding needs, staffing requirements and the changes in law necessary to achieve the policy.
7	The Legislature should amend the state's Forest Practice Act to give greater emphasis to the protection of water quality and other factors necessary for salmon and steelhead survival.
7	The Legislature should memorialize Congress to instruct the U.S. Bureau of Reclamation to suspend its present Central Valley Project water marketing program until the State Water Resources Control Board has adopted improved water quality standards for the San Francisco Bay-Delta estuary. Without this new standard, it is uncertain how much, if any, additional water can be removed from the Sacramento and San Joaquin rivers without doing irreversible harm to fish life.
7	The Legislature's Joint Fisheries and Aquaculture Committee should inform the State Water Resources Control Board that the present stream flow allocated by law for the survival of juvenile salmon migrating through the Sacramento-San Joaquin rivers Delta is inadequate. Adequate stream flow for salmon survival must be allocated in the Board's 1990 Bay-Delta water quality plan and rights decision.
7	The Department of Fish and Game should step up its enforcement of state laws that require stream diversion owners to construct and maintain fish screens. The loss of juvenile salmon and steelhead to unscreened and inadequately screened diversions has become intolerable; changes must be made to improve the enforceability of screen law provisions.
Introduction	
9	The state must adopt an overall plan for the conservation and restoration of the salmon and steelhead trout fisheries. This program should include explicit goals, a timetable for completion, adequate funding and opportunities for citizen involvement. Such a program has been offered in Senate Bill 2261.
9	Stream protection provisions of the California Forest Practice Act must be strengthened. Senate Bill 1335, now pending before the State Assembly, gives needed emphasis to fish habitat and water quality in the Forest Practice Act.
9	The Delta salmon stream flow protection standard established by the State Water Resources Control Board in 1978 is too low and must be increased. The Joint Legislative Committee on Fisheries and Aquaculture should bring this matter to the immediate attention of the Water Board.
9	The U.S. Bureau of Reclamation's Central Valley Project current water marketing program is premature and must be suspended until the stream flow needs of fish are determined. The Legislature should ask Congress to direct the Bureau to suspend this program so damaging to fish life.
9	The loss of juvenile salmon to unscreened or inadequately screened irrigation diversions has reached intolerable levels. The Department of Fish and Game must enforce fish screen laws more vigorously. The Department's efforts will be aided and strengthened by Senate Bill 2390, now being considered by the Legislature.
Status of the Resource	
15	The Legislature should declare the policy of the state to restore and protect the salmon and steelhead resources. The policy should prohibit any further loss of fisheries habitat, emphasize the improvement of in-stream habitat and eliminate man-made factors that kill juvenile fish. It should regard fish production as a co-equal objective of water development and land management, rather than as a constraint upon development--as it is now perceived.
15	The Legislature should declare it state policy to double the present levels of salmon and steelhead trout production by the year 2010, following the guidelines articulated in SB-2261.

1988 - Restoring the Balance	
Page	Recommendation
15	SB-2261 now provides \$125,000 to begin development of the initial elements of the restoration program. The Legislature should also provide for the necessary long-term funding and staffing needed to double salmon and steelhead stocks.
16	The Legislature should memorialize Congress to direct the Secretaries of Interior and Commerce to fully implement the 10-point program already adopted by the respective agencies. Of these points, the following actions must occur immediately: 1) Lift the gates of the Red bluff diversion dam during the months of peak spawning migration to provide spawners access to the upper river; 2) Fund the new winter-run facility planned for Coleman National Fish Hatchery to handle increased spawning; 3) Install a permanent temperature control device at Shasta Dam to prevent releases of warm water into the Sacramento River during critical stages of the salmon life cycle; and 4) Similarly direct the Environmental Protection Agency to expedite its efforts to correct the toxic metals problems occurring at Iron Mountain Mine on Spring Creek.
Dams, Diversions, Water Allocation Policies	
25	The Legislature should memorialize Congress to direct the Secretary of the Interior to do all of the following: 1) Suspend the current efforts by the U.S. Bureau of Reclamation to sell an additional 1.1 million acre-feet of water from the Trinity, Sacramento, American, and Stanislaus rivers; 2) Suspend the current applications by the U.S. Bureau of Reclamation to gain approval to use the State Water Project pumps to remove still more water from the Sacramento-San Joaquin rivers delta; 3) Complete the evaluation of Central Valley fish and wildlife resource water needs ordered by the Secretary of Interior on December 29, 1978; 4) Provide the federal pumping plant in the Delta with a fish screen that works properly; 5) Correct the fish ladder and fish screen deficiencies at the federal Red Bluff diversion dam; 6) Complete the rehabilitation of Coleman National Fish Hatchery; and 7) Provide the federal Shasta Dam with a permanent temperature control device.
25	The Advisory Committee recommends that the Legislature's Joint Fisheries and Aquaculture Committee urge the State Water Resources Control Board to adopt an increased stream flow standard that will assure salmon survival throughout the Delta.
26	The Legislature should direct the State Water Resources Control Board to request funds, develop and implement a program that improves the process of reviewing, granting and enforcing water diversion permits so that adequate flows are maintained for the fisheries. The Board's commitment to this program should be a condition of legislative approval of the Board's 1988-89 budget.
26	The Department of Fish and Game should identify stream gauging priorities in the initial elements of the statewide salmon and steelhead conservation and restoration program described in Senate Bill 2261.
26	The Legislature should direct the Department of Fish and Game to request the needed funds and to complete the stream flow needs assessment program.
28	The Joint Fisheries and Aquaculture Committee should advise the Department of Water Resources to review the testimony submitted to the Board regarding the need for an improved salmon protection standard; the DWR should then describe to the Joint Committee how that standard can be met.
28	The Legislature should direct the Department of Fish and Game to move rapidly to cite diverters with unscreened or inadequately screened diversions and require them to correct these problems promptly.
28	The Legislature should review the 1957 fish screen laws provisions of the Fish and Game Code, particularly the provisions relating to the maintenance responsibilities of water diverters. Such a review is provided by Senate Bill 2390.
28	The Legislature should review Fish and Game Code habitat protection statutes. It should set fines and penalties that are in keeping with today's environmental protection standards, similar to those for toxic wastes and hazardous materials pollution.
28	The Legislature should amend the Water Code to declare that any stream diversion that destroys significant numbers of young salmon and steelhead trout constitutes an unreasonable use of water and is, therefore, prohibited by law.

1988 - Restoring the Balance	
Page	Recommendation
Restoring and Protecting Habitat	
30	The Legislature should declare the policy of the state to restore and protect the salmon and steelhead fisheries. This policy should encourage the improvement of in-stream habitat and elimination of man-made factors that destroy juvenile fish. It should prohibit any further loss of salmon and steelhead habitat and direct all state agencies to conform their activities to ensure the policy is achieved.
30	The Legislature should direct a multi-agency task force, headed by the Department of Fish and Game, to find ways to measure and monitor the cumulative effects of land use practices on fish habitat and to develop methods of offsetting undesirable effects.
30	The Legislature should amend the Forest Practice Act to provide greater protection for fish habitat by establishing a process for settling interdepartmental differences. SB-1335, introduced by Senator McCorquodale, specifically addresses these concerns.
30-31	The Legislature should identify approximate sources for funding repairs to salmon and steelhead streams damaged by known timber harvest operations. One alternative is a surcharge on the timber yield tax which would be credited or refunded to those whose operations are not damaging, but which would be forfeited by those whose logging practices are found to be harmful to the fish habitat.
31	The Legislature should memorialize the Secretaries of Agriculture and the Interior to immediately request full funding for these programs. The Legislature should also direct the Department of Fish and Game to fully cooperate in these programs and all initiatives to improve salmon and steelhead habitat on National Forest and Public Domain Lands.
32	The Department of Fish and Game should incorporate estuarine research projects in the comprehensive management plan for salmon and steelhead it is to develop.
32	The Legislature should declare it a policy of the state to prohibit any further loss of salmon and steelhead habitat. Further, plans to protect, restore and enhance estuarine habitat must be included in the Department of Fish and Game's management plan.
32	The Legislature should direct the Department of Fish and Game to prepare specific management plans for all estuaries as part of the process of developing programs for entire watersheds. Those estuaries subject to artificial water level control or conflicts should be specified and a process to identify and resolve conflicts must be devised.
33	The Legislature should expand the Fish and Game Code beginning at Section 1600 to better define riparian habitat and to specifically address the breaching of lagoons. In addition, these codes should be modified to make Department of Fish and Game recommendations more binding on all stream alterers.
33	The Legislature should develop an incentive program to support protection and restoration of the riparian zone. Such a law could be patterned after Oregon's riparian tax incentive program.
33	The Legislature should amend Fish and Game Code 5650 to specify sediment as a substance that is deleterious to fish life.
34	The Legislature should provide the DFG with staffing and funding to implement the stream alteration team program in all regions, once the pilot program is proven to be effective.
34	The Legislature should declare the policy of the state to encourage the participation of its citizens in the conservation of salmon and steelhead trout resources.
Hatcheries	
38	The Legislature should declare it a policy of the state to restore and enhance the salmon and steelhead fisheries. Such policy should encourage the improvement of in-stream habitat and the elimination of man-made factors that destroy juvenile fish.

1988 - Restoring the Balance	
Page	Recommendation
38	The Legislature should direct the Department of Fish and Game to set a completion date for adoption of a salmon and steelhead genetics policy that addresses hatchery/wild stock issues for each watershed. The Advisory Committee would assist the DFG in this task, or would recommend the project be given to a separate group comprised of specialists from the DFG, the U.S. Fish and Wildlife Service, universities, fishery groups and the general public.
39	The Legislature should direct the DFG to develop, build, and operate a research facility dedicated to preservation and development of wild salmonid diversity. Appropriate funding and staffing should be provided.
39	The Legislature should direct the Department of Fish and Game to complete the job of standardizing hatchery operations. The DFG should be asked to submit a plan and schedule for modernizing those hatcheries that need modifications to meet new operations standards. Funds and staffing should be provided.
39	The Legislature should memorialize Congress to fund needed improvements at all federal mitigation projects to assure that full mitigation levels of production are soon reached.
39	The Legislature should direct the Department of Fish and Game to analyze the degree to which the state's salmon and steelhead mitigation hatcheries are achieving the required mitigation. The DFG should advise the Legislature if revisions in agreements or enforcement procedures are needed.
40	The Legislature should declare the policy of the state that the remaining salmon and steelhead trout habitat will not be diminished further.
40	The Legislature should memorialize Congress to direct the U.S. Bureau of Reclamation to construct, operate and provide adequate water for a hatchery in the San Joaquin River basin, as mitigation for the losses suffered from the construction of Friant Dam.
40	The Legislature should memorialize Congress to direct the Secretary of Army to schedule funds for the long overdue steelhead mitigation facility at Coyote Dam on the Russian River.
Economics	
44	The Legislature should direct the DFG to utilize and build on this new methodology. The DFG must become competent in understanding and using economic analysis to assist in conservation and restoration of the salmon and steelhead trout in its charge.
Stewards of the Resource	
50	The Legislature should support Department of Fish and Game efforts to prepare a detailed salmon and steelhead conservation program, including staffing and funding requirements, directed at doubling the state's salmon and steelhead trout production within twenty years. The Legislature should provide at least an additional \$10 million in 1989 to initiate this restoration program. Provisions for long-term funding should be included in the plan. Such a bill has been introduced (SB-2261); it can be found, in entirety, on page 53.
51	The Legislature should direct the Department of Fish and Game to utilize the findings of this workshop and include ongoing research and evaluation goals in its comprehensive program, as outlined in SB-2261.
51	The Legislature must continue to increase DFG staffing to meet the goals outlined in SB-2261.
51	The Legislature should direct the Department of Fish and Game to determine the appropriate level of funding and identify funding sources for the program developed through SB-2261.
52	The Legislature should direct the Department of Fish and Game, other public agencies and private interests, to make public awareness of salmon and steelhead trout conservation issues a top priority. Further, it should instruct the Department of Fish and Game to develop and implement a multi-level public awareness program to complement the salmon and steelhead conservation program and goals outlined in SB-2261. The Legislature should provide the needed funding of \$7.5 million over ten years.

1988 - Restoring the Balance	
Page	Recommendation
River Basin Recommendations: Smith River, Redwood Creek, and Mad River Region	
62	It is essential to develop public awareness programs throughout the north coast basin to reduce the take of "summer trout," which are, in fact, juvenile salmon and steelhead ocean-bound migrants.
62	It is reasonable to adjust angling seasons and catch limits in the affected streams of this region, by adopting the more restrictive regulations used by neighboring Oregon.
62	The Department of Fish and Game should encourage and facilitate the use of the classroom curriculum developed by the Advisory Committee to expand community knowledge of and support for salmon and steelhead conservation and restoration efforts.
River Basin Recommendations: Klamath and Trinity Rivers Basin	
66-67	The Legislature should adopt Senate Joint Resolution 43 and do all else in its power to restrain the U.S. Bureau of Reclamation from selling the 219,500 acre-feet of Trinity River water so obviously needed for restoration of the basins salmon and steelhead trout resources.
67	The Department of Fish and Game should accelerate efforts to restore and maintain salmon and steelhead spawning gravels in the Trinity River below Lewiston; it should seek compensation for this purpose from the federal Central Valley Project because of the damage caused to the spawning grounds from stream flow reductions between 1963 and 1981.
67	The Department of Fish and Game should follow through on its commitment to full state funding for the congressionally-authorized Klamath River basin salmon and steelhead trout restoration program. This will assure success of the program and may encourage Congress to authorize similar federal efforts for other areas of need, including the Russian and Eel River basins.
67	The Legislature and the Department of Fish and Game must recognize the legitimate rights of the indigenous Indian communities of the Klamath and Trinity rivers basin to be consulted directly concerning conservation and restoration of fish resources to which they have traditional harvesting rights.
River Basin Recommendations: Mattole River, South Fork Eel River, Lower Eel River, and Van Duzen River	
68	The Department of Fish and Game should analyze the vulnerability of salmon to fishermen especially in the lower Eel River during low stream flow periods. It should recommend regulatory alternatives to the Fish and Game Commission, including the report card program, which will assure appropriate protections for salmon and steelhead spawners against inappropriate harvest.
68	The Legislature should expand the California Forest Improvement Program and other programs of watershed protection to encourage California ranchers to include stream protections and salmon and steelhead restoration projects in their rangeland management efforts.
River Basin Recommendations: Upper Eel River Basin	
69	The basin subcommittee believes that an Eel River Watershed and Fishery Restoration Program should be established. It should regard the watershed as a "natural hatchery," provide funding for restoration work, and encourage citizen-based projects to restore and monitor streams on an ongoing basis.
River Basin Recommendations: Sacramento River System	
73	The U.S. Army Corps of Engineers' rip-rapping scheme should be abandoned; zoning should be adopted to set development back from the river edge so that natural channel changes may continue to occur.

1988 - Restoring the Balance	
Page	Recommendation
River Basin Recommendations: Marin, Sonoma, and Mendocino Coastal Streams	
74	The Department of Fish and Game should anticipate an expansion in aerial application of forest pesticides and arrange for increased laboratory and field testing of their effects on juvenile salmonids. Failure to do so could jeopardize local salmon and steelhead restoration efforts.
River Basin Recommendations: Russian River	
76	The U.S. Army Corps of Engineers should be directed to make good on its commitment to fund production of juvenile steelhead trout (the amount specified by the DFG is 40,000 pounds a year) to mitigate the loss of upstream spawning habitat to the construction of Coyote Valley Dam.
76	The Department of Fish and Game should urge the State Water Resources Control Board to place a moratorium on further water diversions throughout the Russian River basin until such time as the in-stream flow requirements of salmon and steelhead have been determined and assured. The Board should act to curb illegal water diversions in the basin immediately.
76	The Legislature should fund repairs to Sonoma County's Healdsburg Dam on an urgency basis; this support should be offered with the understanding that the Department of Fish and Game should recover the county's fair share of the expenses.
76	The Department of Fish and Game should identify the salmon and steelhead spawning reaches of each stream in the Russian River basin; the Legislature should add these areas to Fish and Game Code Section 1505.
76	The Legislature and the Department of Fish and Game should support enactment of H.R. 2513, the proposed state-federal joint study of the fishery resources of the Russian River.
River Basin Recommendations: San Francisco Bay Streams	
77	The Legislature should expand the Department of Water Resources' urban creeks restoration program. The program is complimentary to the restoration program outlined in SB 2261.
River Basin Recommendations: San Joaquin River Basin	
80	The State Water Resources Control Board has the power to restore the salmon and steelhead resources of the San Joaquin River basin. It should do all of the following:
	· Adopt an interim moratorium on further allocation of stream flow in the basin;
	· Complete its inventory of the unappropriated water resources in the basin;
	· With assistance from the Department of Fish and Game, determine the stream flow and water quality conditions necessary for young salmonids to move safely from their home streams to the western Delta;
	· Direct the major water rights holders to cooperate in determining how to reorganize water use through exchanges, conjunctive use opportunities and modification of state and federal projects; and
	· Place enforceable fish conservation conditions on those water permits and licenses which now lack them, including the operations of the federal Friant Dam. (Many of the original water sales contracts for Friant water will terminate in 1990. It is appropriate, now, to include Friant operations in the search for water needed to assure juvenile salmon safe passage to the Delta.)
River Basin Recommendations: Central and South Coast Streams	
81	The Director of the Department of Fish and Game should take steps to assure that Fish and Game Code Sections 1600 through 1603 are being full enforced to assure that lagoon-locked fish remain safe from unauthorized sandbar alteration.

Appendix Q

California Fish and Game Code § 6920 (2008)

§ 6920. Preparation and maintenance of program; Consultation with public agencies

(a) The department shall, with the advice of the Advisory Committee on Salmon and Steelhead Trout and the Commercial Salmon Trollers Advisory Committee, prepare and maintain a detailed and comprehensive program for the protection and increase of salmon, steelhead trout, and anadromous fisheries.

HISTORY: Added Stats 1988 ch 1545 § 2.

Hierarchy Notes:

Fish & G Code Note

Div. 6 Note

Div. 6, Pt. 1, Ch. 8 Note

Div. 6, Pt. 1, Ch. 8, Art. 3 Note

(This document reflects all urgency legislation enacted through 2007-2008 Third Extra. Session Ch. 7 and Ch. 265 of the 2008 Regular Session approved 8/4/08, and Proposition 99 approved by voters 6/3/08.)

Source: *Deering's California Codes [Electronic Resource]: Annotated*. Matthew Bender & Company, Inc., a member of the LexisNexis Group, 2008.

Appendix R

California Water Impact Network 16 Principles for a Sustainable Water Future

Water must be managed in the Public Interest.

1. **The Public Trust Doctrine.** The public trust doctrine is insufficiently recognized in decisions on how best to allocate water to serve all of the public's needs for access and enjoyment. Very high priority must be given to the public trust doctrine in future water allocation decisions.
2. **Right to Water.** Every person in California must be assured the minimum amount of high quality water necessary for life at an affordable price. Additional water consumed should cost more.
3. **Open Public Process.** The public, as owners of California's water resources, must have the determining role in the development and adoption of any statewide water policy. The process must be open, transparent and accountable, and include the active involvement of all sectors of California's diverse population.
4. **Water Management.** Comprehensive management of state and regional water supplies is best achieved through agency cooperation and coordination. To that end, we support restructuring water administration by eliminating or combining, to the extent feasible, agencies whose jurisdictions lie within the same watershed.
5. **Good Science.** Computer models used to project water supplies, both surface and groundwater, must be publicly available, be predictable, accurate, transparent and accessible on the Internet. They must be subjected to peer review and truly reflect the resources of the state.

Water Must be Used Efficiently

6. **Local Supplies.** Local water supplies, which usually are the most dependable, least costly, and most drought resistant resources available to a local community, must be carefully managed and protected for sustainable use by the community.
7. **Conservation.** Conservation is constitutionally mandated and often is the least environmentally damaging way of achieving efficiency in water use. The constitutional prohibition against waste must be fully implemented.
8. **Reuse.** Reuse of highly treated wastewater must be encouraged for a wide variety of uses including potable reuse, provided water quality is protected. Wastewater is now cleaned to near potable standards, and then most of it is thrown away.
9. **Groundwater management.** The groundwater and surface water within a basin or watershed are typically physically connected, and must be managed using whole system management approaches. In order to protect instream flows and terrestrial habitat, controls on overdraft should be instituted immediately. Ultimately, means should be found to reduce or eliminate groundwater overdraft.

10. **Watershed Management.** Watershed management plans shall be developed to maximize coordination of all government agencies and the public to achieve multiple benefits, including but not limited to capturing stormwater where it falls, recharging the groundwater, improving water quality, and restoring wildlife habitat. The beneficiaries of exported water shall be required to invest in watershed restoration.

Habitat, Land Uses, and Water Quality must be Protected and Restored.

11. **Ecosystem Restoration.** Our rivers, streams, and estuaries have become so degraded by water projects and other pollution sources that restoration of instream flows and the ecosystems dependent on these flows must occur. Whenever the place or the purpose of use of diverted water changes, the public trust requires that some portion of the water in question be devoted to the restoration of degraded ecosystems. At least one third of all the water saved by conservation and reuse must be dedicated to fish and stream restorations, and to restoring overdrafted groundwater basins.
12. **Land Use.** Land use and water are inextricably linked. Land use planning and development must be based on secure and reliable water supplies. Development that is compact, contiguous with existing development, and in places where supporting infrastructure including water supply already exists, should be encouraged. Development on flood plains, wetlands, prime ag land, and environmentally sensitive habitats should be discouraged.
13. **Sustainable Agriculture.** Sustainable agricultural land must be preserved. As ag land goes out of production because of globalization, global warming and other factors, water should be returned to the environment.
14. **Water Quality.** All water quality standards must be clear, publicized, and enforced. Enforcing water quality standards includes maintaining sufficient flows through river, streams and estuaries to ensure ecosystem health and the public health.
15. **Area of Origin.** The areas that are water rich, the areas of origin in northern California, must be protected so that these areas can grow and maintain their instream flows as required by state law.

Innovation. All water users should be encouraged to be more creative and to find ways to benefit themselves and the environment. Federal or other subsidies should be redirected to save minimally 10% of farmland for riparian habitat.

From: California Water Impact Network, "Principles for a Sustainable Water Future in California," . 2008, 14 Sept. 2008 <http://www.c-win.org/uploads/C-WIN_Principles_7-4-07v.3.pdf>.

Appendix S

Resolution Honoring 50 Years of Salmon Restoration

WHEREAS, salmon have long been identified with the history, culture, cuisine, economy and environment of the Pacific Coast of North America from the Southern California bight to the Bering Sea, providing food, employment and recreation while nurturing bodies and souls; and

WHEREAS, salmon have been important to California for its native peoples for over 14,000 years, and it was salmon that sustained the miners on their way to the goldfields before statehood and salmon that helped populate and generate economic activity through portions of the state with the establishment of canneries along the Sacramento, the Klamath, the Eel and smaller rivers in the latter 19th century, with buying and processing plants along the coast from Santa Barbara to Crescent City during this past century; and recreational fisheries within the rivers and on the ocean; and

WHEREAS, early threats to the state's salmon populations, where it had been legend that streams could be crossed on the backs of these fish, as early as the 1870's were encountered - where nets had been strung across rivers and hydraulic mines inundating streams - when the U.S. Commissioner of Fisheries sent Livingston Stone to California to investigate the problems and establish the first West Coast salmon hatchery on the McCloud River; and

WHEREAS, following the closure of the century-old salmon net fishery on San Francisco Bay and the Delta by the Legislature in 1956 and in the face of continuing declines in salmon stocks and a state policy that declared it was "not in the public interest to maintain the salmon fishery," commercial and sport salmon fishing representatives, fish processors and fishery biologists joined together for the first time that year, establishing Salmon Unlimited and declaring their intent to protect and restore California's "magnificent salmon resource;" and

WHEREAS, the early work of those individuals beginning a half century ago, including Ray and Earl Carpenter, John Pelnar, Ray Welsh, William Grader, Joseph Paul, Frank Haun, Edmund Kohlauf, Dr. Herb Joseph, Bill Hill, Vern Smith, Nat Bingham, Michael Maahs and Mel Dodgin, along with public officials such as State Senators George Miller and Peter Behr, Assembly members Pauline Davis and Frank Belotti and County Supervisor Sam Mitchell, continues today moved by the tenacious spirit of these early restoration pioneers; and

WHEREAS, early restoration work began with efforts to ensure mitigation was fully provided for river projects and hatcheries met their mitigation responsibilities, to the focus today on rebuilding natural spawning populations and habitats that will support them; and

WHEREAS, as a result of these restoration efforts, it is now state policy to protect salmon and the salmon fishery and double natural spawning salmon populations, moreover California has through bond act funds, Tideland Oil revenues, federal Sportfishing Restoration Fund dollars and the Commercial Salmon Stamp Program dedicated millions to restoring the fish, and countless individuals from commercial and recreational fishing groups, tribes, salmon restoration

organizations, the California Conservation Corps and AmeriCorps' Watershed Stewards Program have invested millions of hours in restoring this resource; and

WHEREAS, there is still much to be done for salmon including restoring flows to the San Joaquin, rebuilding Klamath stocks devastated by a deadly parasite and recovering coho and coastal chinook populations; now therefore be it

RESOLVED, by the Assembly and Senate that the Legislature honor the 50 years of work dedicated to salmon restoration and the individuals and organizations that have fought tirelessly to save for Californians this magnificent fish; and be it further

RESOLVED, by the Assembly and Senate that an appropriately framed copy of this resolution be presented on the occasion of the 34th Annual Legislative Fisheries Forum to the California Advisory Committee on Salmon & Steelhead Trout on behalf of the numerous individuals and organizations engaged in salmon restoration including the tribal governments of the Hupa, Yurok and Karuk peoples, California Conservation Corps, AmeriCorps' Watershed Stewards Project, the California Advisory Committee on Salmon & Steelhead Trout, the Commercial Salmon Trollers Advisory Committee, California Trout, the Pacific Coast Federation of Fishermen's Associations, the Salmonid Restoration Federation, Trout Unlimited, the Sierra Club, Mattole Watershed Council, Golden Gate Fishermen's Association, Tyee Club, California Sportfishing Protection Alliance, Federation of Fly Fishers, Natural Resources Defense Council and all others working on behalf of the conservation and restoration of our great chinook, coho and steelhead salmon resources.

Memoriam of Individuals Committed to Salmon Restoration

RAY CARPENTER A pioneer Bodega Bay commercial fisherman, he was one of the founding members of Salmon Unlimited in 1956 and an advisor to the first California Citizen's Advisory Committee on Salmon & Steelhead Trout established in 1970.

EARL CARPENTER. Son of Ray Carpenter, Earl was a member of California Bay Delta Advisory Committee in the 1970's and chaired the California Advisory Committee on Salmon & Steelhead Trout (CAC) during the 1980's. He was the 1985 recipient of the "Highliner" award, the most prestigious award given U.S. commercial fishermen. His son, Stanley, is currently a member of the Commercial Salmon Trollers Advisory Committee overseeing the expenditure of Salmon Stamp funds.

JOHN PELNAR. A fishery biologist and manager of the U.S. Fish & Wildlife Service's Battle Creek National Fish Hatchery on the Upper Sacramento River. Pelnar was an early member of Salmon Unlimited and later sponsored an award in his name annually for a fisherman contributing to "the enhancement of salmon and steelhead resources."

RAY WELSH. A former fishermen's union official, Welsh operated a charter sportfishing business in Fort Bragg, following the government's break-up of the union. He was also an outdoors writer for the *Santa Rosa Press-Democrat* and a founding member of Salmon Unlimited. He was president of Salmon Unlimited and remained in the position until his death in the early 1980's.

WILLIAM GRADER. A Fort Bragg fish processor, who served as Deputy Resources Secretary in the administration of Governor Pat Brown, Grader was a founding member and long-time secretary for Salmon Unlimited. He was the first chair of the California Citizens Advisory Committee on Salmon & Steelhead Trout.

JOSEPH PAUL. A San Francisco sportsman, Paul was involved in many of the early salmon and steelhead restoration efforts and helped to raise money for those causes.

FRANK HAUN. A Fort Bragg commercial fisherman, Haun was an early member of Salmon Unlimited and served in an advisory role to the Citizen's Advisory Committee on Salmon & Steelhead Trout.

EDMUND KOHLAUF. A San Francisco charter sport fishing vessel operator, Kohlauf was the first president of the Golden Gate Fishermen's Association (representing charter boat operators) and was a founding member of Salmon Unlimited and a member of the Citizen's Advisory Committee on Salmon & Steelhead Trout.

Dr. HERB JOSEPH. A California Trout founder, Joseph of Vallejo, was involved in numerous fish restoration efforts and a member of the Citizens Advisory Committee on Salmon & Steelhead Trout.

BILL HILL. A Eureka commercial fisherman, Hill was a long-time member of Salmon Unlimited, the Humboldt Fish Action Council and served on the Citizen's Advisory Committee on Salmon & Steelhead Trout.

VERN SMITH. A San Jose resident, Smith was a member of the California Wildlife Federation who served on the Citizen's Advisory Committee on Salmon & Steelhead Trout. He was later named in 1976 to serve on the Pacific Fishery Management Council when it was established by the passage of HR 200 that year.

NAT BINGHAM. A Mendocino commercial fisherman, Bingham began his restoration work in the late 1960's with hatchbox programs. The grandson of Yale archeologist and explorer Hiram Bingham (the discoverer of the ancient Incan city of Machu Picchu), he was a member of Salmon Unlimited and served nine years as president of the Pacific Coast Federation of Fishermen's Associations. He lead the effort to prevent the extinction of Sacramento winter-run salmon and at the time of his death in 1998 was working on restoration efforts in the Upper Sacramento watershed, including the removal of Battle Creek dams. He served a term as member of the Pacific Fishery Management Council and was a 1989 "Highliner" recipient and was awarded posthumously the Department of Commerce's "Environmental Hero Award."

MICHAEL MAAHS. A fishery biologist and commercial fisherman from Fort Bragg, Maahs, along with his father Bill, served on the California Advisory Committee on Salmon & Steelhead Trout, and at the time of his death in a freak crab fishing accident in 2000, Maahs was president of Salmon Unlimited.

MELVIN DODGIN. A commercial salmon fisherman from Sacramento and president of the Golden State Fishermen's Association, Dodgin was the longtime fishery representative on the "SB 1086" committee to restore riparian and fishery habitat and fish resources in the Upper Sacramento River watershed.

SENATOR GEORGE MILLER. A Democrat from Martinez, Miller carried the legislation to compensate fishermen for their vessels after the Legislature closed the century-old salmon net fishery on San Francisco Bay and the Delta. Miller went on to support measures aimed at restoring salmon populations. His son George, a Congressman, carried the landmark 1992 legislation – the Central Valley Project

Improvement Act – to reform the operations of the west’s largest reclamation program to be operated for the protection of fish and wildlife.

SENATOR PETER BEHR, a Republican from Tiburon, Behr played an instrumental role in the protection of California’s salmon bearing rivers while in the Legislature and was an ardent supporter of salmon protection and restoration.

ASSEMBLYMEMBER PAULINE DAVIS. A Democrat from Portola, Davis chaired the Assembly’s Fish & Game Committee and carried the 1969 Legislation to establish the Citizen’s Advisory Committee on Salmon & Steelhead Trout.

ASSEMBLYMEMBER FRANK BELOTTI. A Humboldt County Republican, Bellotti, whose district covered a third of the California coast, supported various measures to protect and restore California’s salmon and steelhead during the three different decades he served in the Legislature.

SUPERVISOR SAM MITCHELL. A Humboldt County supervisor, Mitchell was active in Salmon Unlimited and the Humboldt Fish Action Council and initiated county measures to protect and restore salmon populations.

Presented to the California Advisory Committee on Salmon and Steelhead Trout by Senator Wes Chesbro and Assemblymember Patty Berg at the Thirty-Fourth Annual Fisheries Forum, March 2006.