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Stranded Salmon In Dewatered Northern California Streams Trigger Rescues, Investigations And Alarm

Scott Valley, CA-- More than a thousand ESA-listed coho were reportedly "rescued" from dewatered creeks feeding a major tributary to the Klamath River by California Department of Fish and Game (CDFG) personnel last week. The agency transferred the stressed baby salmon into the nearby mainstem Scott River where water diversions to grow hay and water cattle is likely to dewater the streambed in many reaches before October.

More than 1,500 coho were transported out of disconnected pools up Kidder Creek July 25 and 26, according to the Yreka CDFG Senior Scientist Mark Pisano.

An independent inspection documented in the attached photos by the non-profit organization Klamath Riverkeeper following initial rescue efforts found hundreds of juvenile coho salmon still trapped in Patterson Creek. Other reports suggest that young coho salmon were facing similar dead ends in neighboring Kidder Creek, and that total dewatering is also imminent for Shackelford and French creeks. All four Scott River tributaries offer key juvenile coho salmon rearing habitat.

Shortly after documenting the dewatered channel and stranded baby salmon, Klamath Riverkeeper Erica Terence notified CDFG officials in writing, effectively warning them that inaction by the agency would be inadequate under numerous environmental statutes.

"At the rate the creek is drying up, those fish will be jerky by the end of today...I suggest that in addition to rescuing what fish you can, your agency should open an investigation into nearby diversions and possible Fish and Game Code violations immediately," the note by Terence said.

CDFG Game Warden Steve McDonald responded to Terence's note within days, supplying a report that all three surface diversions upstream of the dewatered reach with the photographed dying coho were shut off or were returning all the water they diverted back into the creek after using it.

"What's sad about this situation is that this isn't just happening in Patterson Creek. It's happening in tributaries across this agriculturally dominated valley, and the worst actors on tributaries we weren't able to document that day are getting away with murder because CDFG isn't taking a proactive and comprehensive approach to coping with this dewatering problem," Terence pointed out.

Although fish rescue in the Scott River fails to address the root causes of the dewatering such as irrigation dams, canals, ditches, groundwater pumping and soil deposition caused by irresponsible logging in the watershed, it is a necessary tactic to prevent total extinction of the severely endangered Scott River coho population.

The bleak reality is that scientists have already declared two out of three generations (called year-classes or cohorts) as "functionally extinct." The only biologically viable run of coho came home to spawn in the Scott River last year.

These stranded salmon have been identified as the offspring of that final coho run, and their survival rates will decide the future of the species in the watershed. Fall Chinook salmon numbers are still slightly stronger than the coho counts in the Scott River, but their populations are also in steep decline.

"Fortunately, both 2010 and 2011 were wetter than average years. Unfortunately, even in extremely wet years, we're seeing total dewatering in many reaches of the Scott River and its tributaries," Terence said.

"Even more unfortunate is the fact that the agencies with the power to do something about the problem--California Department of Fish and Game (CDFG), NOAA Fisheries, the U.S. Forest Service and the California Water Board--have all been unwilling to take meaningful steps to put water back in the river so far," she added.

A 1974 CDFG report on optimal in-stream flows for fisheries suggests that the mainstem Scott River should retain more than 100 cubic feet per second, yet the channel dropped to zero cubic feet per second in the summer of 2009 and was also dangerously low in 2010. The report is the best science currently available on the subject of in-stream flow needs of salmon in the Scott River.

Klamath Riverkeeper was the lead plaintiff in a court case challenging CDFG's California Endangered Species Act (CESA) permitting program aimed at bringing activities that could kill endangered coho into legal compliance. Riverkeeper and co-plaintiffs alleged that the program didn't do enough to protect in-stream flows or endangered coho salmon, and could even harm the species' chance of making a comeback there.

In April, 2011, San Francisco Superior Court Judge Ernest Goldsmith sided with plaintiffs Klamath Riverkeeper, Pacific Coast Federation of Fishermen's Associations, Quartz Valley Indian Tribe, Environmental Protection Information Center, Northcoast Environmental Center and the Sierra Club, stating that "Program participants start with an inadequately scrutinized clean slate that is purged of past illegal take and is more permissive of future take of a population already depleted by illegal take," (*Klamath Riverkeeper et al v. California Department of Fish and Game et al*, Page 13, Lines 10-12.)

Judge Goldsmith's opinion refers to decades of past inaction by CDFG in response to illegal coho deaths known as "take" of an endangered species under CESA.

But rather than take steps to fix the flaws in that program, CDFG has decided to appeal the judge's ruling.

The Siskiyou County Farm Bureau is also currently pursuing a legal challenge to CDFG's authority to regulate water diversions in order to save listed salmon.

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Photos and in-stream flow study available in attachments, or by e-mailing erica@klamathriver.org