



"The New Voice of Salmon"

Public Comment
Statewide Dredged or Fill Procedures
Deadline: 9/18/17 by 12 noon



September 12, 2017

Chairwoman Felicia Marcus
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Re: **State Board Wetlands Policy**

Dear Chair Marcus and Board Members -

The Golden Gate Salmon Association represents the California salmon fishing industry, including commercial and recreational fishermen, charter boat skippers, fishing tackle manufacturers and retailers, tribal interests and more. I write to offer GGSA's strong support for strengthening and adopting the Board's draft State Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State ("Wetlands Policy") that the State Water Resources Control Board released for public comment on July 21, 2017.

Immediate and Strong Action is Needed to Protect Salmon: On June 6 of this year, the Board heard from a panel of fishing and tribal leaders regarding the status of California's most important salmon runs and the need for immediate action by the Board. As you heard during that panel discussion, during the past 12 years, California's salmon fishery has experienced the two most severe crises in the history of this iconic fishery. Because of low populations, the entire California salmon fishery was closed in 2008 and 2009. Just as our salmon runs were recovering from that crisis, the recent drought resulted in severe damage to juvenile salmon in California's rivers, leading to a second crisis. As a result, estimates of the adult population of salmon in the ocean off our coast are at very low levels. Commercial fishermen have lost 2/3 or more of a normal salmon season this year. Landings, both for commercial and recreational fishing, have also fallen dramatically in recent years.

This decline is causing severe impacts on California's salmon fishing businesses, jobs, families and communities. The California salmon fishing industry supports, when healthy, \$1.4 billion in economic activity and 23,000 jobs. A fully restored fishery would be worth far more. The impacts of a depressed fishery are felt in dozens of California and Oregon communities.

California must take action immediately to restore the salmon runs upon which these communities rely. Simply put, without healthy Central Valley/Bay-Delta salmon runs, our industry cannot survive.

Wetlands and Salmon: In many ways, wetlands are critical to the survival of salmon runs. Floodplain and riverine wetland habitat, when inundated during the rearing and outmigration season, is critical to the growth and survival of young salmon. Wetlands generate essential food for salmon. Wetlands also filter pollution, thus improving water quality in our rivers. And finally, the effective regulation of upstream wetlands and streams, including isolated wetlands and seasonal streams, is essential to ensure adequate water quality and quantity in downstream salmon streams.

Efforts in Congress and federal agencies to weaken current federal wetlands protections, particularly proposals to weaken the Waters of the US rule regarding the extent of Clean Water Act jurisdiction, could significantly harm salmon by allowing the destruction of habitat, reducing the food supply for young salmon and degrading water quality and quantity.

Because of the important value of wetlands and streams, and because of pending rollbacks in DC, a strong Board program to protect our remaining wetlands and streams is essential. Yet despite a two-decade old state “no net loss” of wetlands policy, California continues to lose wetlands. The Board has strong authority to protect wetlands and the benefits they provide for salmon. However, the Board must act to clarify and enforce that authority.

Recommendations to Strengthen the Draft: GGSA recommends that the Board strengthen and adopt a final Wetlands Policy, including the following improvements to the current draft:

The first step to protecting wetlands is to avoid impacts wherever possible. The draft should be strengthened to state clearly that all applicants proposing to fill or discharge to wetlands must fully evaluate alternatives. The current draft allows too much discretion in different regions with regard to alternatives analysis. The board should ensure that all regions require a full, rigorous analysis of the available alternatives to avoid or reduce proposed impacts to wetlands.

Second, the draft should be strengthened to state clearly that projects that receive Board permits to fill wetlands will, in all cases, be required to mitigate with a ratio of at least “one-to-one.” There are several reasons why this is a critical requirement:

- Without a mitigation requirement of at least “one-to-one”, it would be much more difficult to achieve the state’s no net loss of wetlands goal.
- Wetlands created through mitigation requirements frequently do not function biologically as well as natural wetlands lost to development. This suggests the need for mitigation ratios of greater than “one-to-one.”
- Even where mitigation is effective, there is, in the vast majority of cases, a temporary loss of wetland values. That temporal loss should also be mitigated.
- If the Board were to allow mitigation ratios of less than “one-to-one” for degraded wetlands, it would create a strong incentive for developers to find creative ways to degrade wetland resources. This is not a theoretical concern. It has been seen, for example, in the case of seasonal wetlands around San Francisco Bay.

We thank the Board for years of hard work to develop the current draft. With the above changes, the Wetlands Policy could significantly contribute to the protection and restoration of California's salmon runs. We urge you to make these recommended changes and adopt a final policy before the end of 2017.

Sincerely,

A handwritten signature in cursive script that reads "John McManus".

John McManus
Executive Director