



January 14, 2020

**Testimony of Trout Unlimited on the House Natural Resources Committee’s Water, Oceans, and Wildlife Subcommittee hearing on H.R. 4723, the Salmon Focused Investments in Sustainable Habitats Act of 2019 (“FISH Act”).**

Chairman Huffman, Ranking Member McClintock, and Subcommittee Members:

Thank you for the invitation to testify in support of H.R. 4723, the Salmon Focused Investments in Sustainable Habitats (FISH) Act. My name is Matt Clifford, and I am a senior policy advisor for Trout Unlimited’s California Water Project, based in our Bay Area office.

Trout Unlimited (TU) is the nation’s largest coldwater fisheries conservation group dedicated to the protection and restoration of our nation’s trout and salmon resources and the watersheds that sustain them. TU has more than 300,000 members and supporters nationwide, organized into 400 chapters across 46 states. In watersheds across the country, TU staff and volunteers work collaboratively with partners, including landowners, tribes, local businesses and state and federal agencies, to restore habitat for trout and salmon fisheries so that we, and future generations, can continue to enjoy all they have to offer.

We are very glad to see Congress once again take up the idea of greater investment in salmon and steelhead stronghold areas. Strongholds – watersheds that have relatively abundant and diverse populations of these fish – are a familiar and important concept in conservation biology. While there is an understandable tendency for restoration dollars to be steered toward the “hotspot” watersheds where habitat is already degraded and fish populations are on the brink, we know from the science that we can’t meet our recovery goals for salmon and steelhead by focusing all our efforts on these areas. Rather, we must also invest in those watersheds that still support healthy runs of fish. By doing so, we can keep these areas from becoming the next hotspots and also provide a solid base to help re-populate nearby watersheds as they return to health.

In the late 2000s, this realization led a group of conservation groups – including TU, the Nature Conservancy, and the Wild Salmon Center – to join the governments of California, Oregon, and

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Idaho in making the scientific case for the stronghold concept. Our organizations and many others continued to advance this work, supporting previous iterations of this concept in Congress that would have designated strongholds and directed additional dollars to them to supplement existing federal and state recovery programs.<sup>1</sup>

While those efforts did not result in legislation, the energy behind them continued with state-level efforts to identify salmon strongholds, including in California where I work. Working with the California Department of Fish and Wildlife (CDFW), TU and partners assembled the available data on fish populations, genetics, and habitat quality statewide, and developed a sound scientific process for evaluating it. This led to the identification of six salmon and steelhead stronghold areas in various regions of the state. While these designations do not have any formal legal effect, they have been very influential in helping the restoration community focus our work, and ultimately in directing public restoration dollars. I would like to provide two examples of the positive effects they have had on my own work, and that of my colleagues.

The South Fork of the Eel River is one of the major salmon and steelhead producing rivers in California's North Coast region. While portions of its watershed saw heavy logging in the last century, its headwaters are largely intact and support some of the healthiest runs of steelhead and Chinook in the state. Following its identification as a stronghold, TU ramped up an existing effort in that region to ensure we were giving it the attention it deserved. Since then, we have aggressively pursued restoration projects there, partnering with many of the same timber companies we had worked with for years in other rivers along the Mendocino Coast, which have similarly high value. These projects typically involve decommissioning obsolete roads to reduce sediment input to streams, replacing dysfunctional culverts with new ones that allow fish passage, and riparian restoration. Some of these companies' predecessors logged in ways that modern companies would not consider, but the land is coming back under their stewardship and now contains some of the best habitat. Our work further improves the value and productivity of this habitat and helps ensure it retains its value over time. Investments in salmon strongholds also provide value to the companies, who see maintaining fish populations as a hedge against further regulation and a way to help keep the land in production over the long term. TU is far from the only group influenced by this science. Many of our non-profit partners, plus state and federal agencies, also brought renewed attention to the South Fork Eel.

In fact, just last month, CDFW decided that an upcoming round of grants will direct significant investments toward several high-profile watersheds, including the South Fork Eel. We believe this decision can be traced directly to the scientific efforts to identify strongholds and can only serve to further strengthen the work done by TU and others in this watershed.

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<sup>1</sup> Trout Unlimited supported previous legislative iterations of the "strongholds" concept, namely The Pacific Salmon Stronghold Conservation Act, S.1401 (112<sup>th</sup>), S.817 / H.R.2055 (111<sup>th</sup>), S.3608 (110<sup>th</sup>).

A second example is our work with irrigators on Deer Creek in Tehama County. Just upstream of these farmers' lands, the creek emerges from a deep Sierra foothills canyon containing the state's best remaining habitat for spring-run Chinook. In 2014, at the outset of the worst drought in the state's modern history, we began working with local irrigation districts to upgrade their diversions to ensure fish could migrate past them to reach the upstream spawning habitat – both now and under the extreme flow conditions that will come as the climate continues to change. We are also working to improve the efficiency of their irrigation systems to allow them to leave more water instream – and get credit for it with state regulators. Again, these projects strengthen the long-term viability of the stronghold habitat, provide our partners with protection against the regulatory burdens that can increase when fish numbers fall to crisis levels, and increase the effectiveness of their individual operations.

The above examples illustrate how the identification of strongholds can boost the value of conservation programs and can have positive impacts for both fish and private interests on working lands.

#### **H.R. 4723 – the FISH Act**

Turning to the current bill, H.R. 4723, we see much that we like. A scientific process to identify salmon strongholds would be useful for a number of reasons, including two recognized in this bill: as a guide for conservation investments and as a guide to planning and other decision-making.

Likewise, we support creation of a grant program to invest in salmon strongholds, and the National Fish and Wildlife Foundation (NFWF) is a good agency to run it. As strongholds are identified, other investments will probably follow as state agencies or other federal agencies adapt their grant programs to invest in high-return areas. As the above examples illustrate, we already see this pattern in California.

We appreciate the opportunity to weigh in at this early stage and hope the Committee will be able to move forward with markup before long. We are committed to advancing salmon strongholds and look forward to working with you, Chairman Huffman, and other subcommittee member to refine the ideas in this bill between now and then.

In this section we will flag some considerations for further discussion. First, I'll discuss a basic choice that arises in considering how conservation areas are designated and the effect those designations will have on both investment decisions and planning. On one end of the spectrum, one can opt for relatively narrow criteria for designation. This would limit the number and extent of strongholds designated but could be accompanied by relatively strong effects on investment and planning decisions within those watersheds. At the other end of the spectrum, one could opt for broader criteria resulting in more and large designations, but with less direct impact on policy decisions within those areas. There may be good reasons to pursue a combination of both. We are

encouraged that the draft identifies two types of strongholds – “salmon conservation areas” and “strongholds” – and believe the notion is a powerful one that might be expanded upon for further benefit as the bill goes forward.

A related consideration for the identification of strongholds and salmon conservation areas is the treatment of regionally significant strongholds. The best steelhead rivers in Southern California may never produce as many fish as rivers on the California-Oregon border or in Alaska, but those steelhead have unique characteristics found nowhere else. It makes sense to invest in the places with the best habitat and highest likelihood of success within that region. Conversely, there will be some regions that consist almost entirely of areas that could qualify as strongholds, and it may be hard to select which ones to designate, and certainly no one would suggest that by designating the best of those, we are implying we shouldn't invest in or maintain the others. We are pleased the bill provides for regional strongholds, even if some of the rivers are strongholds only in relative terms.

An example may help. Consider the South Fork of the Eel River in Chairman Huffman's district, described above. As I have noted, much of the best and most promising habitat in the watershed is on working timber lands. In those locations, it makes sense to direct focused conservation investments, so the watersheds continue to improve, and of course we also want to keep the land in production. Designating these lands as a Salmon Conservation Area could be the appropriate way to enable conservation to proceed in tandem with timber production. On the other hand, there are other, smaller portions of the South Fork worthy of strategic investments and also the highest level of protection, including old growth redwoods rivalling that of any location. A Stronghold selection could be crafted to ensure that federal decisions take those values into account.

The stronghold bill, then, could have one more flexible designation that encourage smart investments and can be used for planning purposes, coupled with a more focused designation that could ensure that federal decisions are consistent with, and tend to enhance, the characteristics of the stronghold. The trick is to ensure the bill allows decision makers to tailor the effect of the selection to the circumstances of the case. We look forward to working with the committee as the bill moves forward.

Another opportunity to strengthen the bill is to ensure that the selection and application of strongholds is accompanied by a robust and transparent public process. This is needed to ensure that people have faith in the selections, buy into them, and use them as a tool for restoration. This in turn will ensure the effort is durable over time. It is also needed to get a good product. More often than not, the people who live and work in a region are also the best people to design good conservation programs. Meaningful consultation with stakeholders and partners, opportunity to shape, build on work that has been done before, including by states like California who have done quite a bit of work on the subject.

## **Conclusion**

Thank you for your attention to this important issue and for considering our views on the Salmon Focused Investments in Sustainable Habitats (FISH) Act. We are hopeful that Congress can enact a bill that that helps prioritize investments and leads to decisions that tend to enhance the values of the stronghold, with a robust and transparent public process for durable results.

We look forward to working on it with you and will help in any way as it moves toward markup.