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Mr. Chairman, members of the Board - thank you for the opportunity to speak today. I am Scott Greacen, and I speak today as Executive Director of EPIC, The Environmental Protection Information Center. EPIC is a Humboldt County-based citizen advocacy group, with a long history of ~~and~~ active engagement in efforts to protect salmonids across the North Coast.

We are here today to address two intersecting crises - the lack of water and salmonid extinction - which are compounded by the failure of our human institutions to effectively adapt to these crises. Each of these crises is likely to get significantly more challenging under the best available projections of both climate change and the cumulative impacts of human actions. If you fail to act today to respond effectively, rest assured that the inevitable reckoning will only be more painful for the delay.

The law is clear. We have heard today from law enforcement that the frost-pumping at issue here has killed ~~listed~~ fish listed under the federal and state Endangered Spp Acts. There was a suggestion earlier today that a hard frost 'caused the fish kill.' With all due respect, that is a supremely disingenuous suggestion: people acted, deliberately, to take water out of its

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course. People killed endangered fish, and they did so for purely economic reasons. ~~the~~

We have heard from fisheries experts here today that these impacts are likely to jeopardize the survival and recovery of three endangered species. It is very difficult to exaggerate the seriousness of this finding. ~~Situation~~ In our view, this is simply an intolerable situation.

The morality of the situation is even more clear. We humans do not have the right to drive our species into extinction, particularly when we do so in order to increase marginal economic returns - ie, to make a buck. Winegrowers don't have any right to water fish need to survive. I am very concerned by the tone of the discussion here today, which seems to assume that frost protection is a legitimate use of scarce water.

Again, the law and morality are clear. Where there is not water enough for fish and grapes, fish must come first. Humans need to work out our sharing problems without making fish pay for our inability to make hard choices.

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Collaborative approaches can be useful and effective, but those processes must take place within clearly defined sideboards that lay out the boundaries of legal action and the need for change in practices on the ground and in the creek. We at EPIC do not believe that there has been effective participation by environmental advocates in the Russian River Task Force, but the biggest problem we see with the task force is the absence of effective sideboards.

I'd like to emphasize that some of the water at issue here is diverted from the Eel River Basin. EPIC is among the many organizations supporting Friends of the Eel River in working to insure that those flows be restricted to the Eel. Putting the Eel's water back where it belongs is likely to make these conflicts even more serious, making it all the more urgent that the Water Board lay down the law today.

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Mr Chair, members of the Board, your responsibility here today is clear. Endangered fish runs are being destroyed, the possibility of their recovery wrecked. Industry has made it clear by their statements, and more importantly by their actions, that they will continue with business as usual. Federal and state agencies have made it clear that their enforcement powers are limited, and that the real power to construct a system to avoid the impacts rests with you, the Water Board. It is your job, thankless though it may be, to provide the sideboards, to institute emergency regulations to protect salmon. We call on you today to ban the use of frost-Russell River water for frost-protection irrigation, at least until a watermaster system is in place.

Thank you for your attention

Jim Green
ex director