



FRIENDS OF THE SHASTA RIVER

c/o Andy Marx
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March 30, 2021

Barry Thom
Regional Administrator, West Coast Region
NOAA Fisheries
1201 Northeast Lloyd
Portland, OR 97232

Via email to Barry.Thom@noaa.gov

RE: NOAA Fisheries Shasta River Safe Harbor Agreement

We are writing on behalf of a recently formed organization, Friends of the Shasta River (FOSR). FOSR represents stakeholders who live, work, own property and recreate in the Shasta River basin. FOSR's collective mission, borne from frustration over decades of failed collaborative salmon recovery plans, is restoration of Shasta River water quality and quantity.

We believe the Shasta River Safe Harbor Agreement (SHA), recently approved by NOAA Fisheries, is deeply flawed and potentially harmful to the nearly extirpated Coho salmon population. This agreement pours large amounts of public money into operational improvements benefitting a few private ranchers, while securing neither measured nor guaranteed results in terms of fish survival or improved fish numbers. These habitat improvements appear insufficient to promote measurable Coho recovery yet let the water diverters off the hook for the more substantial reforms should the plan fail.

That the SHA did not include the California Water Resources Control Board is a glaring inadequacy of the SHA. The Shasta River's impaired water quality is subject to a water quality improvement mandate implemented by the North Coast Water Control Board supervised by the Federal Environmental Protection Agency (EPA). The fact EPA required total maximum daily load (TMDL) water quality standards are unmentioned in the SHA agreement is at best a lack of governmental

coordination, at worst this omission appears a conscious exclusion to appease water diverters.

We summarized the main concerns over the Safe Harbor Agreement in an attached briefing paper.

As a newly-formed organization, Friends of the Shasta River did not submit comments on the draft SHA, however, one of our board members, Dave Webb, submitted comments as an individual. Additionally, many groups and individuals, including tribal entities, fishing associations and salmon advocacy organizations submitted very detailed critical comments on the draft SHA plan. Our understanding is that there is broad dissatisfaction with the way the well-researched, detailed and substantive comments were brushed over in the final NOAA documents.

On behalf of our commenting board member and on behalf of the Shasta River stakeholders we represent, we formally object to NOAA Fisheries Finding of No Significant Impact and the completed Environmental Assessment.

We request that NOAA Fisheries immediately suspend the Shasta River Safe Harbor Program and the Enhanced Survival Permits issued to the Safe Harbor participants pending completion of full Environmental Impact Statement--one that more comprehensively addresses and incorporates, in a revised agreement, the many important concerns expressed by commenters on the draft Safe Harbor Agreement--and one that mandates a comprehensive flows study as a prerequisite to any agreements with individual water diverters.

We request the opportunity for further community consultation on this matter, including with our organization, the California Water Resources Control Board and the many stakeholder groups that made earlier comments.

Thank you for your consideration, we hope to hear from you soon.

Yours sincerely,



Andrew Marx
President, Board of Directors
Friends of the Shasta River



Dave Webb
Board Member
Friends of the Shasta River