



# FRIENDS OF THE SHASTA RIVER

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## For Immediate Release

### **CALL FOR A SUSPENSION of NOAA'S SHASTA RIVER "SAFE HARBOR" AGREEMENTS AS STATE INVESTIGATES ABUSE OF RIPARIAN WATER RIGHTS**

#### ***Self-proclaimed "Sustainable" Beef Producer Novy Ranches Served with Notice of Violation***

#### ***Grenada Novy May be the 'Tip of the Iceberg' – Full Review of Shasta River Riparian Water Rights Claims Needed***

Yreka, CA – On July 27<sup>th</sup> the State Water Resources Control Board released its Report of Investigation in response to complaints, filed by Friends of the Shasta River in January, 2021, over an apparent abuse of riparian water rights in the Shasta River on the Grenada Novy Ranch. The investigation by the State Water Resources Control Board has confirmed that Novy appears to be abusing their Shasta River riparian water rights. The ranch has been sent a Notice of Violation requiring a response within 30 days.

Novy Grenada Ranch is one of fourteen entities recently enrolled in a "Safe Harbor Agreement" through the federal National Marine Fisheries Service (NMFS). The program lets irrigators off the hook for killing threatened coho salmon through their irrigation and other ranch operations as long as they are engaged in defined activities aimed at improving conditions in the Shasta River. Many of these activities will only be done with the infusion of large amounts of public funding rather than being paid for by

the ranch owners themselves, but in all cases the safe harbor activities covered have to be legal, especially taking water from the river.

NOAA/NMFS staff were aware of potential issues on this ranch before endorsing a request for over \$3 million in public funds for Novy Grenada Ranch in 2017. Then, despite receiving detailed information about the specifics of the riparian issue during the public comment period in 2020, NOAA/NMFS chose to include the ranch in its new Safe Harbor program

without requiring any confirmation of the validity of the claimed riparian rights other than "self certification".

In light of this disturbing development, Friends of the Shasta River is calling on NOAA/NMFS to immediately conditionally terminate Novy Grenada Ranch from the Shasta River SHA program, and to suspend its Enhancement of Survival Permit, pending final resolution of this matter and for NOAA/NMFS to suspend the overall Shasta River SHA program until such time as there has been a proper verification of the riparian water rights of all SHA participants and it is determined that they are all operating legally.

Friends of the Shasta River says “With an unprecedented diversion curtailment looming over irrigators in the Shasta Valley some weeks from now, this is an extraordinary development. The SWRCB report indicates its firm belief that a single irrigator is claiming substantial riparian rights where, for much of its irrigated land, no such right appears to exist. With junior legal water users curtailed almost every year and even never before touched senior users facing cutbacks this year, this situation cannot be tolerated. Illegal use of water should be the first place to look to be cut back.”

According to comments submitted to NOAA/NMFS by a coalition of tribal entities and salmon advocates in early 2020, there also appear to be issues with the claimed riparian water rights of other Safe Harbor participant ranches in the Shasta Valley.

David Webb, a FOSR board member commented, “It is especially disturbing that, up to this point, this abuse of riparian water rights has been ignored, ratified and endorsed by NOAA/NMFS in a flawed and deceptive process that was supposed to protect fish, not illegal water use. It also appears this may be just the 'tip of the iceberg' regarding the abuse of the Safe Harbor process. A full review is warranted.”

Bruce Shoemaker, another FOSR board member, noted, “It should not take the intervention of a small volunteer organization to undertake the type of due diligence that

should have been carried out by NOAA/NMFS in the first place, in advance of approving SHAs, issuing permits and endorsing public funding, for an entity with known issues of concern,”

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### **Background:**

The Shasta River flows from the base of Mount Shasta north to the Klamath River near Yreka, CA. While small in size, it is mighty in terms of its proven ability to produce wild salmon. Despite decades of use and abuse, the Shasta continues to annually produce between one third and half of the wild salmon in the Klamath Basin. In many years the numbers of wild salmon in the Klamath River determine how many salmon overall will be harvestable by fishermen from Monterey to the Columbia River. Salmon harvest management is predicated on protecting wild salmon stocks, not on how many hatchery fish are in the ocean. Coastal and tribal fisheries have collapsed as fish are dying in the river because of the sub-optimal conditions they face.

**Friends of the Shasta River** was formed in November 2020 by concerned local citizens who live, work and recreate in the Shasta River basin. We support a sharing and better balance of Shasta River water resources for the benefit of fish, other wildlife and people. We are a non-profit organization registered with the State of California and have a pending application for recognition as a 501c3 tax exempt organization. For more info see [www.shastariver.org](http://www.shastariver.org)