



BOARD OF SUPERVISORS  
**COUNTY OF HUMBOLDT**

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California Fish and Game Commission  
715 P Street, 16th Floor  
Sacramento, CA 95814

May 10, 2022

RE: Low flow closures on the Eel River in Humboldt County

Dear Members of the Fish and Game Commission,

We are writing to you today with significant concerns about the proposed adoption of regulatory authority for the Director of the Department of Fish and Wildlife related to low flow closures on the Eel River estuary. We believe there are justifiable reasons for this section of the Eel River be exempt from any low flow restrictions. The section of the river we are concerned about is from the mouth of the river to Fulmor Road, at its paved junction with the south bank of the Eel River.

While we understand and support the emergency low flow closures, we do not believe low flow closures in the stretch described above is warranted for the following reasons:

- Salmon conditions and habitat in this section of the Eel River is not poor
- This stretch of river is tidal influenced and drought conditions aren't prevalent
- Water temperatures are cool due to influx of sea water
- Adult wild salmon and steelhead are not confined to pools of cold water. They have the ability to go back out to the ocean if warm water condition became evident
- The estuary is patrolled regularly by wardens reducing the effects of poaching.
- The estuary is 7 miles long and holds too much water for snagging or illegal hooking to be an effective method
- Catch and release of Chinook Salmon is written in the Freshwater regulations

In a zoom meeting held April 13 and attended by Humboldt County, HCF&GAC, FGC, CDFW, and Nor-Cal Guides and Sportsmen's Association staff, several justifications were made to warrant inclusion of this stretch of the river among the low flow conditions. However, staff acknowledged that there is very little direct data on the Eel, and that many of the assumptions being made are via extrapolation from scientific studies on other watersheds.

For example, CDFW staff was unable to provide basic baseline data, such as: how many Chinook are caught annually in the estuary? How can the Department calculate a catch and release mortality rate without catch rate? As best we can determine no Eel River specific studies have been done on CR mortality or survival rates.

When the question was asked as to why the Department is not more insistent about ensuring there are adequate river flows coming from the two dams on the Eel River, a satisfactory answer was not provided. California law requires dam operators to maintain necessary flows for fisheries resource management below the dams they operate.

The Eel River is California's third largest watershed and a significant recreational angling location. The Eel River estuary also supports additional fisheries other than salmon (such as Redtail perch) among others.

We would like to bring this item to the Commission's attention and ask that they direct CDFW and FGC staff to continue a dialogue with Humboldt County and the recreational angling community. We would like to find alternatives rather than a closure starting September 1, 2022 when flows are below 350 cfs at the gauging station near Scotia that could result in a complete closure of the estuary fishery this year. We look forward to this discussion.

Sincerely,

Chair, Virginia Bass  
Humboldt County Board of Supervisors