

## Delta communities, regional fishing groups, startled by new presidential executive orders

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## Trump backs Newsom's Delta plans in a big way, but are the President's sweeping anti-environmental orders so broad that the Governor and other California leaders will take a stand against them?

## By Dan Bacher

On Friday, President Donald Trump issued executive orders that will have "devastating consequences" for California's water future, public health and environmental protections - threatening a federal takeover of the state's right to manage its land and resources – according to a coalition of fishing, tribal and environmental organizations.



A fisherman and his dog approach a dock in the north Delta. Photograph by Scott Thomas Anderson

The executive orders are entitled, "Emergency Measures to Provide Water Resources in California and Improve Disaster Response in Certain Areas."

The executive orders were issued as the Central Valley salmon and Delta fish populations are in their worst-ever crisis. Salmon fishing has been closed for the past two years, due to the collapse of Sacramento and Klamath River fall-run Chinook populations. For seven years in a row, no Delta smelt, an indicator species, have been caught in the California Department of Fish and Wildlife's surveys. Now, Trump appears to be ordering that far more fresh water be moved out of the Northern California and its Delta and shipped down south.

On Monday, Trump implied that his executive orders were already being hastily and aggressively carried out as he posted on Truth Social: "The United States Military just entered the Great State of California and, under Emergency Powers, TURNED ON THE WATER flowing abundantly from the Pacific Northwest and beyond. The days of putting a Fake Environmental argument, over the PEOPLE, are OVER. Enjoy the water, California!!!"

This prompted the California Department of Water Resources, or DWR, to tweet the following response.

"The military did not enter California," DWR clarified. "The federal government restarted federal water pumps after the were offline for maintenance for three days. State water supplies in Southern California remain plentiful."

For the coalition of fishing, tribal and environmental groups, such misinformation is being weaponized to justify Trump's startling executive orders.

"The President's orders conflate fire prevention needs with water operations in California, all based on the myth that water operations for environmental protections had any impact on water infrastructure used in the Los Angeles fires," the coalition said in a statement. "These orders prioritize corporate water interests, primarily corporate and hedge-fund farms growing <u>water intensive cash crops</u> in the San Joaquin Valley like almonds, at the expense of Delta communities' health and economy, Native American tribes, the California fishing industry. It hastens the destruction of Central Valley rivers and collapse of the San Francisco Bay-Delta ecosystems, favoring corporate agricultural interests over Southern California water users recovering from devastating fires."

According to the coalition, implications of these Executive Orders include:

1. **Invocation of the "<u>God Squad</u>**": The God Squad exemption in the federal Endangered Species Act (ESA) could be deployed on the Delta's imperiled fish and several other species, exempting federal Central Valley Project, the CVP, water operations from protecting them in the future and rendering any federal environmental protections nonexistent. Overriding environmental protections serves to extract more water from the already-collapsing Bay-Delta estuary, which will exacerbate toxic algae blooms and risk the health of four million Delta residents.

2. **Creates a Federal Mandate for Raising Shasta Dam and the Delta Conveyance Project**: The plan to raise Shasta Dam will destroy sacred sites of the Winnemem Wintu Tribe, violate state laws, and harm native fish and wildlife. The Delta Conveyance Project, or Delta Tunnel, which is being spearheaded by Gavin Newsom's Administration, could destroy the largest estuary on the West Coast of the Americas. Will potentially cut other programs for fish and migratory birds.

3. **Elimination of Other Federal Protections**: Calls or the elimination of federal requirements that "impose significant costs" on permitting and water deliveries. This could include eliminating clean water, public safety, waterfowl protection and salmon restoration programs. This <u>amounts to an "extinction</u> <u>plan</u>" for California's billion-dollar commercial salmon industry, already reeling from closures and \$1 billion in economic losses over the past two years.

4. **Central Valley Project (CVP) and State Water Project (SWP) Operations**: Will control operations of both the state and federal water projects without any protections for California rivers or the Bay-Delta estuary, leaving seven endangered species in peril and threatening water quality for millions of Bay-Delta residents.

5. Exempting CVP and SWP Operations from California Endangered Species Act (CESA): Overrides safeguards of the California Endangered Species Act for state and federal water operations.

6. **Water Storage**: May fast-track expensive and inefficient dam and Delta Conveyance construction projects that have been challenged, overriding protections for fish, ecosystems, and communities; prioritize maximizing reservoir capacity, halting dam removal or modification efforts; roll back regulations that safeguard water resources under the guise of ensuring water security for farms and urban areas.

7. **More to come**: Orders a prompt rewrite of some regulations that implement the federal Endangered Species Act, all over the country.

Representatives for Restore the Delta, the Shingle Springs Band of Miwok Indians, Winnemem Wintu Tribe, California Sportfishing Protection Alliance, Defenders of Wildlife, Friends of the River, San Francisco Baykeeper, Golden State Salmon Association, Save California Salmon, Little Manila Rising, Sierra Club California and the Delta Tribal Environmental Coalition all commented on the dire threat these executive orders pose to the people, fish and wildlife of California.

"These executive orders are a direct assault on the health and economic vitality of Delta communities," said Barbara Barrigan-Parrilla, Executive Director of Restore the Delta. "By diverting water away from the Sacramento-San Joaquin Delta and prioritizing storage and conveyance projects, this policy threatens to degrade our water quality, leading to increased pollution and health risks for residents, and also destroying our local economies. "Governor Newsom must resist this federal overreach and stand firm for California's water protections."

She added, "Capitulating to Trump-era water policies would prioritize profits for industrial agriculture and foreign entities over the health, safety, and livelihoods of Californians."

Malissa Tayaba, Vice-Chair of the Shingle Springs Band of Miwok Indians, sees an ugly governmental history repeating itself (<u>her tribe was once forcibly removed from their homeland along the Sacramento and American rivers</u>).

"Our people and the waters they depend on are under extreme threat," Tayaba stressed. "Fish and plants that are integral to our culture and our traditional food sources are endangered. We will not stand by while the Trump Administration attacks our ways of life and we call upon California's elected and appointed officials to oppose these vile and unprecedented actions to destroy our culture and environment."

Gary Mulcahy, the governmental liaison for the Winnemem Wintu Tribe, acknowledged that the raising of Shasta Dam would erase what few cultural and religious sites the federal government hasn't destroyed in the past.

"President Trump is trying to strip tribal members of birthright citizenship," Mulcahy argued, "and he is trying to drown the Winnemem Wintu people with the raising of Shasta Dam."

Chris Shutes, Executive Director of the California Sportfishing Protection Alliance, condemned President Trump for sowing confusion with the public in a way that could be detrimental to fish and wildlife.

"The linkage of wildfires in Los Angeles with California water policy is coherent in one sense only: it leverages a crisis to advance a radical conservative agenda," Shutes argued. "Today, it's a radical assault on every duck, frog, and fish in the West, and on every body of water they live in. It's also an attack on all the people who live near and depend on the West's rivers, ponds, marshes, lakes, bays, and seas."



Sun sets on Wimpy's Marina in the Delta. Walnut Grove is one of many Delta legacy towns that depend on fresh water for farming. Photograph by Scott Thomas Anderson.

Gary Bobker, Program Director for Friends of the River, echoed that sentiment, adding, "implementing the President's wish list will dewater California rivers, promote toxic algal blooms, cause a number of native species to go extinct — not just Delta smelt, but salmon, steelhead and sturgeon — and the biggest winners would be corporate agribusinesses in the San Joaquin Valley, not the people living in the fire-prone areas. This exploitation of a humanitarian crisis to impose misinformed and destructive policies in California is an insult to the state's residents and the victims of the wildfires." Scott Artis, Executive Director of Golden State Salmon Association said that, with all the disinformation circulating, it's imperative to make clear what the stakes actually are. "Let's make it clear that water for fish is water for people and jobs," Artis remarked. "The lack of action to save salmon and protect the health of the Bay-Delta watershed and its communities is simply a way to facilitate a joint state and federal water grab. It's unfortunate that this precedent means the fourteen most terrifying words for fishermen and anyone who relies on this ecosystem are: I'm from the state and federal government, and I'm here to help the Delta."

Kasil Willie, an attorney for Save California Salmon, lamented President Trump's instincts to try to turn Californians against each other.

"There is no way to describe the pain these Executive Orders will cause in California not just for the environment but for tribes, environmental justice communities, fishing communities and future generations," Willie observed. "The harmful narrative that water is being wasted, or that we do not have the best interest of all Californians in mind when participating in environmental processes is purposefully divisive. Tribes and other communities have been working together for years to find solutions that are sustainable and equitable, and it is disheartening to see such harmful actions being taken that will impact California's tribal communities. These orders, taken in conjunction with the myriad of actions taken this week, show that Trump intends to attack the environment in any way that he can."

Caty Wagner, with Sierra Club California, pointed out that <u>Trump's agenda for the Delta</u> <u>is similar to Governor Newsom's</u>, even as the region needs Newsom's protection more than ever from Trump.

"Trump's water policy is closely aligned with Governor Newsom's, who wants to promote the \$20 billion Delta Tunnel to draw even more water from the Delta," Wagner stated. "These policies would have severe consequences for local Delta communities, tribes, fishermen, and endangered species. Sierra Club California strongly opposes Trump and Newsom's environmentally destructive water policy, and we'll be fighting to stop them in the courts and at the relevant state agencies."

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