



PHOTOGRAPH BY VAL ATKINSON

California's golden-trout restoration is a living testament to the words of Christy McGuire of California Fish and Game: "The diversity of nature is something to be treasured."

# State of Our Trout

## Part One: The biodiversity of unique trout and the fight to save these fish.

ALL ACROSS OUR NATION, BUT especially in the West, unique species and subspecies of trout are in desperate trouble. Remnant populations hang on mostly in headwaters where natural barriers protect them from competition, predation and introgression from non-indigenous fish flung across the landscape by ecological illiterates, including state and federal managers.

Virtually all those managers are now dead; and virtually all their replacements get it, having acquired what Aldo Leopold called an "ecological conscience" and what George Bird Grinnell called a "refined taste in natural objects." Typical of the new breed is U.S. Fish and Wildlife Service biologist Craig Springer, who writes this about a fish that until 2006 (when his agency down-listed it to threatened) was our only inland salmonid protected as endangered, though others should be: "Gila trout

are swimming expressions of antiquity, artifacts of epochs past. In their genes they carry a time capsule. Coiled in the double-helix of their DNA lies the lexis of the environment from which they have sprung forth."

And Christy McGuire, in charge of golden-trout recovery for the California Department of Fish and Game, tells me this: "We have this library of trout native genes. The diversity of nature is something to be treasured. These fish hold things in their genetics that allow them to adapt to changing climate conditions that they've experienced in the course of their evolution."

Alas, most of the public—even most of the angling public—*doesn't* get it. They're stuck in the mid-20th Century when "a fish was a fish." Typical of this breed are the editors of the self-described

"muckraking leftist online newsletter" *Counterpunch* who, in a piece entitled "Trout and Ethnic Cleansing," apply the ruminations of Nazi critic and alien-plant advocate Rudolf Borchardt to native-trout restoration. "So leave those alien brookies alone!" the piece concludes.

To a large element of the environmental community, reclamations have nothing to do with preserving beautiful and unique fauna; it's all a plot to generate license revenue.

"The California Department of Fish and Game wants to remove all fish from [Silver King Creek in the Carson-Iceberg Wilderness of the Toiyabe-Humboldt

Gila trout are swimming expressions of antiquity, artifacts of epochs past.

National Forest], so it can re-stock the area with pure Paiute cutthroat trout," writes Laurel Ames of the California Watershed Alliance. "But this area"—the entire 11-mile natural range of the rarest trout in the world—"is not needed to save the Paiute cutthroat. In fact, CDFG wants to introduce the Paiute trout into this area

primarily because it wants to create an area where anglers can catch them. We shouldn't poison wilderness streams and lakes for fishermen who want to catch a certain kind of fish!"

Californians for Alternatives to Toxics (CATs)—which, since I last reported on the perennially aborted Paiute recovery project, has taken over for the Center for Biological Diversity and the Pacific Rivers Council as the lead angel of death for this threatened fish—brags as follows: "CATs stopped state and federal agencies from 'executing' a creek in a high Sierra wilderness last fall [2005] so they could replant a fish popular with anglers."

Empowered by and inciting these and other groups have been full-time anti-piscicide crusaders Ann McCampbell, who claims to be a medical doctor although she lacks a practice, and retired macro-invertebrate researcher Nancy Erman (See "Ann and Nancy's War," *FR&R* July/October 2005). In September 2007, McCampbell reported in *The* (Santa Fe) *Sun News* that the *only* reason the New Mexico Game and Fish Department, Forest Service, Fish and Wildlife Service and Trout Unlimited volunteers are working so hard to save the Rio Grande cutthroat (New Mexico's state fish) is to "satisfy a fishing fantasy of a small, but influential, group of fishermen."

To this mantra, John Regan, the tireless Trout Unlimited activist and former California council chair who has fought for 20 years to save Paiute cutthroats and other vanishing salmonids, responds as follows: "They think we're all a bunch of whackos who can't wait to hike eight miles into the wilderness to catch eight-inch fish. This isn't about fishing at all; it's about preserving earth's biodiversity."

Facilitated by ecological illiteracy and chemophobia and waged by environmental groups for which fish don't count as wildlife, Ann and Nancy's war drags painfully on. But since I last reported on it there has been a lot more good news than bad. Three years later it's clear that native-trout advocates are starting to prevail.

## Victory on Lake Davis

A "Battle of Midway" has just concluded on 4,000-acre Lake Davis in north-central California. You may recall the public hysteria—much of it whipped up by McCampbell—when, in October 1997, the California Fish and Game Department attempted to eliminate alien pike with rotenone, a resin derived from the roots of South American and Malaysian plants and the most important and usually *only* tool fisheries managers have for saving native fish from aliens.

Extremely fertile, Lake Davis had been one of the state's top trophy rainbow fisheries. Rainbows had been the main diet of the pike, but the project's goal was not restoring the great fishing, though that would be a nice bonus. The goal was saving the threatened Central Valley steelhead and spring chinook and the endangered winter chinook of the Sacramento-San Joaquin basin into which Lake Davis drains. Eliminating pike wasn't just something enlightened managers felt like doing; it was mandated by federal law—the Endangered Species Act.

In the 80 years that rotenone has been used in fisheries management, there has not been a single documented case of it harming a human. It has no effect on terrestrial wildlife. And while it does kill some aquatic invertebrates, they bounce back within weeks, frequently to higher levels because they no longer have to cope with predation by fish they didn't evolve with.

Rotenone, applied at .5 to 4 parts per million, degrades completely in a few days. Still, because Lake Davis was a public water supply, fish and game attempted to allay unfounded fears by having wells dug for the public and explaining the facts about rotenone.

It might as well have been speaking Swahili. Protestors held all-night candlelight vigils, marched around with placards that said "Burn in Hell, Fish & Game!" They shrieked, cursed, wept, swam out into the lake and chained themselves to buoys.

For crowd control, the state had to bring in a SWAT team and 270 game wardens, biologists, technicians, highway patrolmen

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## [CONSERVATION]

and sheriff's deputies. A Portola restaurant erected a sign that read: "We don't serve Fish and Game." Criminal charges (immediately thrown out) were filed against fish and game by Plumas County.

When I wrote about the Lake Davis debacle in *Audubon* magazine, we were dressed down by Audubon members who claimed that rotenone had sent 62 residents to the hospital. They'd read this in *High Country News* so it *had* to be true.

The truth was that 62 hysterical residents took themselves to the hospital because they wrongly supposed they'd been sickened by rotenone. Infuriated by my report, the news editor of the Plumas Audubon Society informed my editors that he had personally witnessed "bald eagles, white pelicans, and other birds and mammals scavenging poisoned carcasses that lined the shores."

But he hadn't stuck around long enough to notice that none was sickened. That's because rotenone-killed fish can safely be eaten by wild animals and, for that matter, humans, who have used it for centuries to collect fish as *food*. Not one of the outraged "environmentalists" we heard from expressed concern for the endangered and threatened races of chinook salmon and steelhead trout that cling to existence in the San Joaquin and Sacramento River system.

In May 1999, pike showed up again in Lake Davis, more likely than not the result of sabotage. Now fish and game bureaucrats were jumpy as dusted grouse. Instead of assigning federally mandated reclamation to trained professionals, the agency abdicated to local ignorati, establishing a "stakeholder steering committee" that was to devise a "multi-faceted," non-chemical plan to rid the system of pike (impossible save in the imaginations of people bereft of even rudimentary knowledge of fish). Fish and game director Robert Hight trekked to Portola where, bowing and scraping, he promised an irate rabble that his department would never again use rotenone in Lake Davis.

The "multi-faceted plan" hatched by locals and approved by Fish and Game involved all the quackery that has failed every time it has ever been tried—explosives, electro fishing, trap netting, gill

netting, beach seining, even commercial purse seining. And it disgusted the California-Nevada Chapter of the American Fisheries Society, which scolded the department for abandoning “its legal and professional responsibilities” with an unscientific non-solution that was “a violation of state law and biologically and ecologically irresponsible.”

Using everything but rotenone, Fish and Game killed about 70,000 pike, yet the population steadily expanded, spreading up tributaries.

“Your department had to have known this wouldn’t work,” I told California Fish and Game biologist Ed Pert last May.

“That’s exactly right,” he said. “We had scientists at U.C. Davis do some modeling and look at how many fish would have to be taken out. It was clear that it wasn’t going to work because you’re dealing with compensatory mechanisms where if you knock the population down, there’s less competition, and they produce more fry. I think we had to let all of that run its course so local community leaders could see that

we’re trying all these things, and they’re not going to work.”

As twisted as that sounds, Pert is correct. Locals weren’t going to believe

Immediately he implemented what may be the most intensive outreach program in state resource-management history.

“We had learned how not to do

**Ann McCampbell was gaining a well-earned reputation as a crackpot. There’s a limit to how many times you can scream “fire” in a torrential downpour and cause alarm.**

anything Fish and Game said. They had to make all the old mistakes themselves, even if it meant the extinction of unique races of trout and salmon. After four years of steady pike proliferation and several high-water events in which pike nearly spilled over the dam, the scales fell from the steering committee’s eyes. In 2003 it allowed that rotenone might be okay after all.

That was also the year that Fish and Game got a new director—Ryan Broddrick, a smart, tough, new-breed professional passionately committed to preserving and restoring vanishing fish.

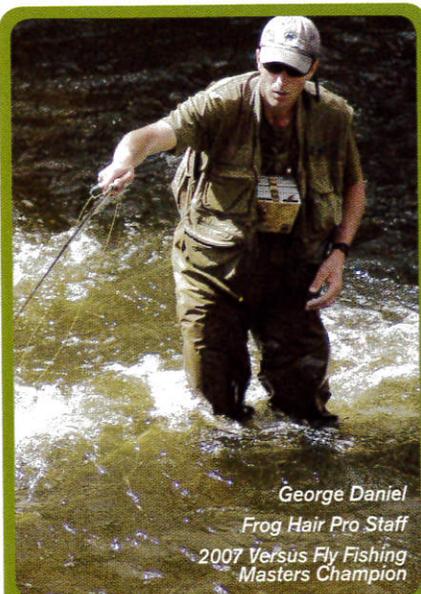
things,” says Pert. “This time we did everything we could to engage the community, treat it with respect and be as open and transparent with the information we had as possible.”

Other factors were working in favor of Fish and Game and the imperiled salmonids. For one thing, Lake Davis was not being used as a drinking-water supply. For another, even among the grossly ill-informed, Ann McCampbell was gaining a well-earned reputation as a crackpot. There’s a limit to how many times you can scream “fire” in a torrential downpour and cause alarm.

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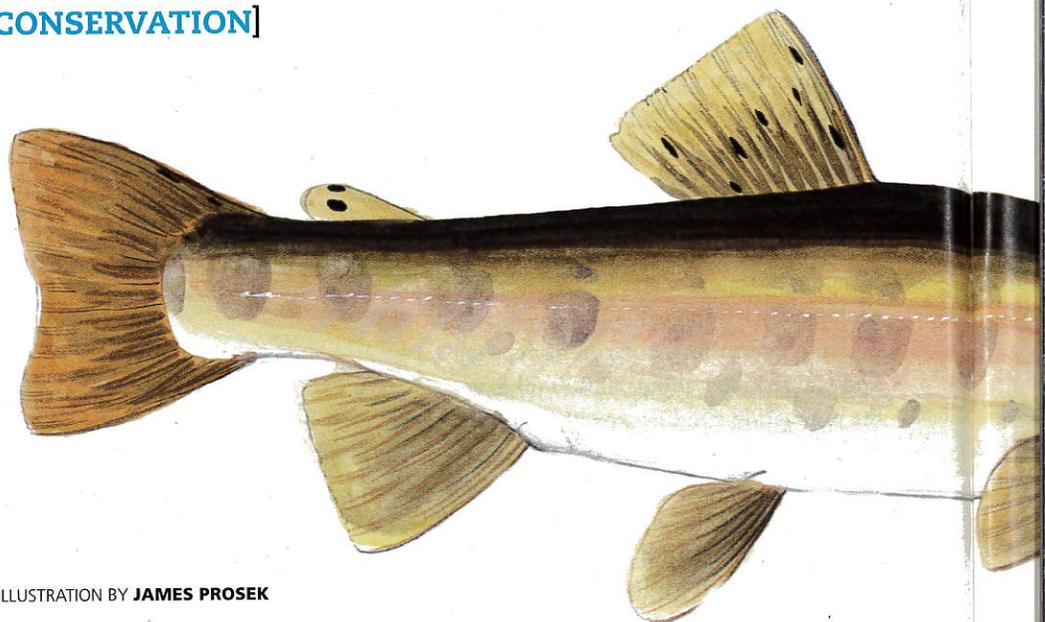


ILLUSTRATION BY JAMES PROSEK

Lately, McCampbell, who claims to be chemically sensitive, has been melodramatically slapping a respirator over her nose and mouth between sentences as she testifies on the evils of piscicides. And she lives in a 1983 Chevy when she perceives elevated chemical contamination in the air.

This time Fish and Game wisely left most rebutting of McCampbell and her flock to outside experts. For example, when Dan Wilson—the elementary-school teacher who founded “Save Lake Davis Committee”—attempted to link the earlier rotenone treatment to local cases of autism, Down syndrome and cancer, Dr. Hank Foley of The Plumas County Public Health Agency promptly informed the public that this was bunk.

Fish and Game’s outreach effort even worked on Bill Powers who, in 1997, as mayor of Portola, had chained himself to a buoy. “I think at least we can say it’s going to be a one-shot deal and pose no health effects to the public,” he told *USA Today* less than a month before the September 2007 treatment.

That treatment, more thorough and with much better equipment than the first, went down without incident, killing at least 11,000 pounds of pike.

On May 16, 2008, Fish and Game hosted a Lake Davis victory celebration at the dam, releasing some of the nearly one million Eagle Lake–strain rainbows it will stock this year. Department biologist Julie Cunningham reports good karma: “White

pelicans, western grebes and Canada geese and their goslings were out on the lake. And an osprey, clutching a fish and pursued by a bald eagle, came flying over the podium.”

**Paiute Cutthroats**

Since I last interviewed Paiute cutthroat advocates for *FR&R*, they’ve been stuffed a *fourth* time by chemophobes. So in 2008 I was astonished to find them energized and upbeat. California Fish and Game’s Paiute project leader William Somer admitted to being “frustrated” but offered this: “I think the tide is slowly turning; the Lake Davis treatment created a lot of good press.”

I can well understand why Somer is frustrated. What I can’t understand is where his patience and commitment is coming from. The Paiute recovery plan came out in 1985. What should have been a simple, straightforward stream reclamation that, for the first time in history, would have restored a fish to 100 percent of its native range, has been paralyzed by all manner of bureaucratic hurdles, most of them (including two lawsuits) engineered by Nancy Erman.

After 23 years of endless and duplicative environmental review, scoping sessions, public commentary, hearings, protests, administrative appeals, litigation, court orders and inertia and timidity on the part of the permitting agency, the Lahontan Regional Water Quality Control



**Paiute Cutthroat**

Board, the Paiute's entire native range is still occupied by alien fish.

"Dr. Robert Behnke"—generally acknowledged as the world's leading authority on trout and salmon—"flew up and testified before the Water Quality Control Board," reports TU's John Regan. "He did a great job, and we got the go-ahead. But Erman"—this time using CATs, Wilderness Watch, Friends of Hope Valley, McCampbell and Laurel Ames as litigants—"kept looking for a weak link. And in the fall of 2005 she got a preliminary injunction."

Providing legal counsel to the litigants was the non-profit Western Environmental Law Center, which unsmilingly describes itself as a "public interest law firm that works to protect and restore Western wildlands."

CATs et al had sued Fish and Game in state court and gotten blown out of the water. But they simultaneously filed in federal court before a judge who didn't understand fish or the preliminary injunction process. A preliminary injunction is supposed to be for an emergency that comes out of the blue.

"But what Erman does," says Regan, "is wait till the last minute because she knows we've got about a three-week window—the last two weeks in August and first week in September. Silver King Creek is high up, and after that it gets too cold for rotenone to work."

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## [CONSERVATION]

Forest Service rolled over on its back and pointed its arms and legs at the sky (as opposed to its pit-bull defenses when challenged on resource extraction). It withdrew approval of the project, agreed to prepare a needless, redundant and grotesquely expensive environmental impact statement, and paid the litigants \$91,346 in taxpayer money.

The preliminary injunction came down the night before treatment was to get underway. Somer had his reclamation team on site with drip stations in place and ready to go. Hundreds of thousands of dollars went up in smoke.

Western Environmental Law Center attorneys untruthfully argued that rotenone would "eliminate" nontarget species, some "rare or endangered." Nontargets *never* get eliminated, and the only "rare or endangered" species in the watershed that could conceivably be affected by rotenone if it existed in the project area (and it doesn't) is the mountain yellow-legged frog. All frogs are extremely resistant to rotenone, in fact unaffected in the adult stage; and all mountain yellow-legged frogs in the watershed are above an impassible waterfall, cohabiting with the last pure Paiute cutthroat.

This may not be a coincidence. The rainbow-Paiute hybrids in the 11 miles of Silver King Creek below the falls may have eliminated yellow-legged frogs. In any case, intensive rotenone applications in Silver King Creek and its tributaries *above* the falls from 1963 to 1993 didn't harm the frogs.

These highly successful treatments—without which the Paiute almost surely would be extinct—were necessary because some bucket biologist had unleashed alien trout in this last refuge. Ironically, the only reason pure Paiutes were there and the only reason they survive today is that an earlier bucket biologist had thrown them over the falls into then-troutless waters.

This tiny, unnatural sanctuary is good enough, according to Erman, who is even less committed to the truth than to native ecosystems. When, prior to one of the aborted rotenone treatments, TU volunteers, Fish and Game and the Forest Service evacuated as many introgressed trout as they could electro-shock from

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the 11-mile project area of Silver King Creek, and moved them to an isolated lake, Erman reported in the newsletter of the California-Nevada Chapter of the American Fisheries Society that they dumped the hybrids into "a source for pure Lahontan cutthroat trout."

This struck me as highly unlikely; and when I asked Erman for documentation she got edgy and evasive, and then provided a reference revealing that the allegedly compromised "Lahontan lake" was an entirely different waterbody that the evacuated hybrids can't get near.

So disgusted by Erman's latest sabotage are Somer's superiors that they say they've washed their hands of Paiute recovery. The U.S. Fish and Wildlife Service has taken over the project and hired consultants for the environmental review. But now the service is paralyzed by the Lahontan Regional Water Quality Board, which is too frightened to issue a permit.

When Regan, with fellow Paiute crusader Leo Cronin, made his first trip to Silver King Creek in 1990, the valley was overrun with cattle. Through their efforts, and the efforts of other genuine environmentalists, the watershed was designated a wilderness and the grazing allotment retired. Now CATs, Wilderness Watch, Friends of Hope Valley, Erman, McCampbell and Ames are accusing resource managers and volunteers of trying to "poison wilderness." Declares Regan: "We're trying to restore a vital piece of the wilderness."

Regan and his colleagues in TU and California Trout—even more dedicated than the chemophobes—are working to reengage fish and game. Somer is in a three-point stance. They tell me the environmental impact statement won't be finished in 2008, but expect the project to get underway in 2009. 🐟

### Next issue — Part Two of State of Our Trout:

Lots of good news and a little maddening news about greenback cutts, Apaches, Gilas, Rio Grande cutts, goldens and westslope cutts. See Ted Williams' Conservation blog at flyrodreel.com, where you can also order his latest book, *Something's Fishy*.

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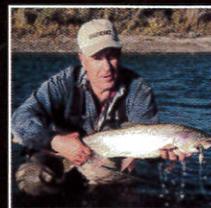
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