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13 *SAN FRANCISCO BAYKEEPER,*
SHINGLE SPRINGS BAND OF MIWOK INDIANS,
14 *CALIFORNIA INDIAN ENVIRONMENTAL*
ALLIANCE, RESTORE THE DELTA, GOLDEN STATE
15 *SALMON ASSOCIATION, and THE BAY*
16 *INSTITUTE*

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

18 **COUNTY OF SACRAMENTO**

19 SAN FRANCISCO BAYKEEPER, SHINGLE
20 SPRINGS BAND OF MIWOK INDIANS,
CALIFORNIA INDIAN ENVIRONMENTAL
21 ALLIANCE, RESTORE THE
DELTA, GOLDEN STATE SALMON
22 ASSOCIATION, and THE BAY INSTITUTE,

23 **Petitioners,**

24 vs.

25 CALIFORNIA DEPARTMENT OF
26 WATER RESOURCES,

27 **Respondent.**

Case No.: 24WM000017

**DECLARATION OF SCOTT ARTIS IN
SUPPORT OF PETITIONERS' MOTION
FOR PRELIMINARY INJUNCTION**

1 I, Scott Artis, do hereby declare as follows:

2 1. The facts set forth in this declaration are based upon my personal knowledge, and if
3 called as a witness in these proceedings, I could and would testify competently thereto under oath.
4 As to those matters that reflect a matter of opinion, they reflect my personal opinion and judgment
5 upon the matter.

6 2. I am the Executive Director of Golden Gate Salmon Association.

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8 3. Golden State Salmon Association is an environmental non-profit that works closely
9 with state and federal elected and unelected policy makers at water agencies to enhance salmon
10 hydrology, habitat, and hatcheries. Its approximately one-thousand-seven hundred (1,700) members
11 include commercial and recreational salmon fishermen and women, related businesses, restaurants,
12 Tribes, environmentalists, elected officials, families, and communities that rely on salmon. The
13 organization employs myriad strategies to this end, including public relations and social media,
14 grassroots mobilization and empowerment, strategic litigation, hands-on restoration, stewardship,
15 and education. Golden State Salmon Association has been working to restore California salmon for
16 their economic, recreational, commercial, environmental, cultural and health values since 2010.
17

18 4. I am aware of the Delta Conveyance Project and the California Department of Water
19 Resources' current plan to begin geotechnical investigations throughout the Sacramento-San
20 Joaquin Delta to begin implementation of that project.

21 5. I am further aware that such investigations will entail the boring of many boreholes,
22 some of which will be over hundreds of feet deep, the dredging of several massive trenches, and
23 multiple vibration tests.
24

25 6. I am concerned that the geotechnical investigations at issue will stir up the sediment
26 at the bottom of the Delta and thereby expose salmon and other species to pollutants that have
27 settled on the Delta floor. Once those pollutants are absorbed by fish and bioaccumulate in the fish
28

1 species fishermen catch, these impacts will be borne out by Golden State Salmon Association
2 members (and the public) to a negative effect.

3 7. Moreover, I fear that increased sediment in the Delta waters may impair the early
4 rearing and migration of juvenile salmon (or smolts).

5 8. The Pacific Fishery Management Council recently unanimously recommended a full
6 closure of the ocean salmon fishing season for the second consecutive year in part as a result of
7 dwindling numbers in the Delta. And on April 11, 2024, the Newsom Administration requested
8 another Federal Fishery Disaster Declaration to financially support impacted communities.
9

10 9. It is therefore clear that even populations of fall-run Chinook salmon have reached
11 critical lows. Accordingly, I fear that increasing sediment disturbance on the Delta floor and thereby
12 exposing fish populations, including juvenile salmon to increased pollutant loads will exacerbate
13 this crisis.

14 10. Of course, this would hurt mine and my organization's interest in protecting and
15 fishing for salmon in the Delta and in the ocean.
16

17 11. I am also aware that the California Department of Water Resources has not
18 submitted a written statement to the Delta Stewardship Council certifying that the Delta
19 Conveyance Project is consistent with the Delta Reform Act of 2009 and the 2013 Delta Plan issued
20 by the Delta Stewardship Council, as required by that Act.

21 12. Given the impacts the Delta Conveyance Project is likely to have on water quality in
22 the Delta and on Chinook salmon and other fish in the Delta, I have doubts that the California
23 Department of Water Resources can adequately justify how the Delta Conveyance Project is
24 consistent with the Delta Reform Act's stated goal to protect, restore, and enhance the Delta
25 ecosystem and the fish, wildlife, and recreation it supports.
26

27 13. If and when the California Department of Water Resources gets around to drafting
28 and submitting a written statement certifying that the Delta Conveyance Project is consistent with

1 the Delta Reform Act of 2009 and the 2013 Delta Plan, Golden Gate Salmon Association intends to
2 participate in subsequent proceedings potentially challenging that certification as inconsistent with
3 the Delta Reform Act and 2013 Delta Plan.

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5 Executed this Second day of May 2024 in Stockton, California.

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8 Scott Artis
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