

**Chris Shutes Acceptance Speech for the Mark Dubois Award
Friends of the River California River Awards
April 21, 2023**

Part 1: On receiving the Mark Dubois Award

On behalf of Bill Jennings and the California Sportfishing Protection Alliance, thank you very much for the kind words and this kind recognition. Just as Friends of the River is supported by and represents the interests of many whitewater boaters, but is much more than a whitewater organization, so too, the California Sportfishing Protection Alliance speaks for many California anglers but is much more than an organization of people who fish.

The California Sportfishing Protection Alliance is notorious in many venues, where it is known by different pronunciations of its initials. In water quality enforcement venues, it is known as “sispa.” In old-timey water rights orders, and among old-timey water rights lawyers, it is somewhat pejoratively known as Cal-SPA. In other settings like hydropower licensing and in more recent water rights and drought actions at the State Water Board, it goes by C-SPA or simply, C-S-P-A.

The different pronunciations give a sense of the breadth of what CSPA does in carrying out its mission as an advocate for fisheries, habitat, and water quality. It is above all an organization driven by the actions a few activists. These are people whose first and last purpose is to make a difference in preserving and restoring California’s natural heritage. The same can be said for each of tonight’s honorees. It is not a surprise that over a 17-year tenure with CSPA, I have worked with all but one of them.

We all need support and resources to do what we do. We also need support and resources to be sure that others will carry on once we no longer can. But for us activists, it’s the advocacy and the outcomes that come first.

I will have a bit more to say in a few minutes about how CSPA got here and how CSPA works with Friends of the River and others. For now, thank you to Friends of the River for this very important recognition.

Part 2: In memory of Bill Jennings [remarks only partially delivered]

Bill Jennings grew up in northern Kentucky and southern Ohio, and went to the University of Tennessee. At some point he got drafted and was stationed in Memphis. One day he told the Commanding Officer that he couldn’t in conscience be a soldier any more, and that he quit. The CO asked, what do you mean, quit? You’re in the Army, you can’t quit. Bill said, I just did. So the CO put Bill in detention. Yet Bill was so appealing that the CO used to send for Bill and engage him in long conversations. He

had Bill housed in a tent, not in the brig. Eventually, in part because Bill was an uncomfortable pain in the neck, the Army discharged Bill. After that, Bill became a leading figure in local draft resistance and a frequent flier in southern jails as part of the Civil Rights Movement.

The Army may be the only thing that Bill ever quit. In 2021, Bill was making arguments to the State Water Board based on legal positions he had staked out 25 years earlier.

Bill got started in California water advocacy when he co-founded a group called the Committee to Save the Mokelumne. A combination of low flows, warm water with no oxygen, and mine runoff pollution killed the fish in the Mokelumne River Fish Hatchery downstream of EBMUD's Camanche Dam. Bill used the Clean Water Act, complaints to the State Water Board, and a complaint at the Federal Energy Regulatory Commission to change the situation. He learned that persistence pays – it took the better part of a decade – and that you have to stand your ground. Eventually, he prevailed in all venues, although he also learned the lesson that even in winning, you don't always get everything you want. In 2022, the Mokelumne River Fish Hatchery accounted for more than a third of the salmon caught off the California coast.

In 2005, Bill became Executive Director of CSPA. CSPA had formed in 1983 to help anglers deal with long regulatory processes, and was a big part of the Mokelumne campaign. After 2005, Bill largely shaped CSPA in his own image. Each of the venues Bill used in the fight on the Mokelumne features strongly in CSPA's activities today. Perhaps least recognized among these is the Clean Water Act, and how CSPA and others use it to fight pollution and protect rivers and the Bay-Delta estuary.

Bill was obsessive about technical competence and supporting his arguments with facts. You gotta do your homework. You gotta learn as you go. You don't win very much, and you don't win very often, if you approximate and then fall back on the argument you're the good guys.

Bill understood that sometimes, people and institutions do the right thing when confronted with their own moral poverty. He also understood that lawyers and institutions spend a lot of time convincing themselves of the merits of their own bullshit. To paraphrase Bob Dylan, sometimes you need to go "looking for a cop." For Bill, that meant looking for a judge. Bill once said he had no idea how many lawsuits he had filed. In the same breath, he said they were never personal. They are a process to get a necessary outcome. He liked some of the people he opposed. But he'd sue 'em if he thought that was the path to the best result.

It was not easy to work for Bill Jennings. He was pretty short on praise. The best I could generally expect after speaking to the Water Board was a comment from Bill that I did “okay.” He’d then tell me how great somebody else had been.

Bill made sure that CSPA would continue after he was gone. We are much richer for his friendship, his spirit, his guidance, and his legacy, and we are much poorer for his absence. We will never replace Bill Jennings.

Part 3: On the common purpose and qualities of Friends of the River and CSPA

It is a particular honor to be recognized tonight by Friends of the River, another organization of activists whose personal as well as professional mission is to protect, preserve and restore California’s rivers.

I first had the opportunity to work with Ron Stork in relicensing SMUD’s hydroelectric project in the South Fork American River watershed. I was a little late to the party. Ron, Nate Rangel, Bill Center (whom we all miss terribly) and I took a long lunch at a taqueria on Sunrise Avenue that’s long since gone.

We started by laying out our interests. Against the opinions of many angling colleagues at the time, I had already decided anglers and boaters had to work together. We agree 90% of the time; we can work out differences in the other 10%. We aren’t strong enough to bicker. That was a good start to a common strategy.

The next step was to get the resource agencies to work with us as equals, not as the little kids. We made that work too, and developed a joint licensing proposal with the agencies. When SMUD held out, FOR really shined. FOR organized a campaign to flood SMUD Board meetings with whitewater boaters, 40 or 50 every time. And a few anglers. We rolled SMUD’s Board, who rolled SMUD’s staff, and we got a deal.

I’ve personally been a member of FOR ever since. I consider FOR one of CSPA’s closest allies. Like CSPA, FOR shows up for the hard fights like the Delta. Not many groups do. We understand that we have limited resources that we have to pool. I like to use the metaphor that we are in the Alamo with a few soldiers, and we are moving mannequins around in the windows with no live bodies. We don’t completely lack weapons. But we have no power and relatively limited money (though you can help with that tonight). That’s why the law and regulatory process are so important.

And that in turn is why it’s so concerning that the current state administration and water boards change or bypass laws at the drop of a hat. They are operating without leverage and taking away any leverage that river groups have. You can’t even get a good negotiated outcome if you don’t have leverage. I learned that from Bill Jennings.

Something I learned from Bill Jennings and Ron Stork is that there's a difference between confidence and arrogance. You can't be shy to do this work, but you need some humility. One of the best ways to express that is with a little humor. So in the spirit of humor, in closing, I offer five things I learned about writing over the last 20 years.

1. Always use lots of acronyms. It doesn't matter if people understand you.
2. Never write a paragraph shorter than half a page. Long makes you look smart.
3. Never get to the point at the front of your document. They'll read to the end if you keep 'em guessing.
4. Always use complex terms, not simple ones. It makes you look smart.
5. Make every sentence as long and convoluted as possible.

Thank you again. Please generously support FOR tonight. Check out CSPA at calsport.org. Good night.