

Creek alliance joins steelhead lawsuit

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FREMONT — Charging that the steelhead trout is the victim of political pressure, the Alameda Creek Alliance joined a coalition that is suing the National Marine Fisheries Service.

The lawsuit, filed Tuesday in a San Francisco federal court, argues that the Marine Fisheries' failure to create regulations protecting the steelhead trout violates the Endangered Species Act.

According to the coalition's attorney, the government has waited almost two years to establish new regulations for the threatened species because the regulations would require expensive changes in several state

water projects.

"The political reality in California is that these protective measures would mean major changes in the way state water systems are managed," attorney Brendan Cummings said.

But Mike Fergus of the National Marine Fisheries said the only reason for the delay is to ensure the new regulations don't conflict with any other regulation.

"We don't have any discrepancy over the goal — (both sides) want to protect the steelhead," said Fergus. "It is being worked on. Part of the delay is that we want to be consistent with regulations already established for other species."

Without these regulations, no federal

laws prevent people from killing or harming the steelhead in Alameda Creek. State laws are rarely enforced, Jeff Miller of the Alameda Creek Alliance said.

"Generally, the steelhead trout are worse off now than they were when they were listed (as a threatened species) two years ago," Miller said. "If they wait much longer, they'll be moved to the endangered species list."

Steelhead trout, once abundant in Alameda Creek, were considered extinct there by the 1950s. But several have been spotted in the past two years. They cannot survive there because the dams prevent them from spawning.