
Trout protection suit targets U.S.

STATEWIDE NOTICE SITES FIVE KILLS IN COUNTY STREAMS

SLO COUNTY

By DAVID SNEED
THE TROUNE

A coalition of environmentalists and fishermen plans to sue the federal government for failing to protect California's steelhead trout.

Eight advocacy groups allege that the National Marine Fisheries Service has failed to issue protective regulations under the Endangered Species Act and that has re-

sulted in threatened steelhead continuing to be killed by water diversions and in the destruction of their critical habitat.

The groups filed a 60-day notice letter of intent to sue on Wednesday. Federal law requires that such intent letters are filed to give the defendant a chance to take corrective action and avoid the lawsuit.

The notice lists abuses and fish kills in more than 30 steelhead streams, including five in San Luis Obispo County. Steelhead are an ocean-going trout species that spawn in coastal creeks. They were listed as threatened along the Central Coast in August 1997.

"This is by no means an ex-

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haustive list," said Jeff Miller of the Alameda Creek Alliance. "But it indicates that conditions for the steelhead have not improved with the threatened listing."

The five creeks in San Luis Obispo County and the allegations listed in the letter are:

- **Arroyo Grande Creek** — The county has turned off flows from Lopez Lake several times causing the creek to dry up and steelhead to die. The state Department of Fish and Game found two dead steelhead following one of these incidents. In response, the county released more water and agreed to study the creek to find ways to improve it as steelhead habitat.

- **Chorro Creek** — Diversions have reduced flows and caused steelhead strandings.

- **Santa Rosa Creek** — The Cambria Community Services District pumps water from the creek, lowering the water table and causing standing pools to dry up. State biologists believe this killed juvenile steelhead during the drought of 1997.

- **San Simeon Creek** — Water discharges from percolation ponds operated by the Cambria CSD upstream of a lagoon lowered the oxygen level and killed steelhead in the lagoon.

- **Arroyo de la Cruz** — Water diversions reduce summer flows in the creek and cause it to go dry sooner than it did historically, reducing the survival chances of steelhead in the creek.

Ken Topping, manager of the Cambria Community Services District, said the district is taking a comprehensive look at its creeks and is developing water and habitat conservation plans to address the problem of threatened wildlife.

"We are very much aware of the sensitivity of the creeks, otherwise we wouldn't be doing this," Topping said.

Neither the Cambria Community Services District nor any other

local agency is included in the lawsuit. The National Marine Fisheries Service alone is being sued because it's required to issue protective regulations for federally listed ocean species and has not.

Officials with the National Marine Fisheries Service could not be reached for comment.

"Steelhead are protected on paper but threatened in the stream," said Dave Hogan, with the Southwest Center for Biological Diversity. "NMFS can give lip service to recovery or can provide substantive protection, as required by law."

Historically, steelhead likely numbering in the millions once migrated up California streams each year during spawning season. Construction of dams block the fish from most of their historic habitat and water diversions, flood control projects and the impacts of logging, grazing and gravel mining have further cut populations.

Over the past three decades, populations of the fish have plummeted dramatically. In the 1960s, an estimated 123,000 steelhead were found in creeks along the central and south-central coasts. That population is now estimated to be between 10,000 and 15,000.

Steelhead runs on many rivers have gone extinct with others depleted to the point that extinction is imminent if action is not taken to provide sufficient streamflows and to prevent further habitat destruction, Miller said.

The coalition preparing to sue the federal government includes the Southwest Center for Biological Diversity, the Alameda Creek Alliance, the Pacific Coast Federation of Fishermen's Associations, the Northern California Federation of Flyfishers, the California Sportfishing Protection Alliance, the Turtle Island Restoration Network, the South Yuba River Citizens League, and the Coastside Habitat Coalition.

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