

Lawsuit seeks to protect steelhead

FISHERMEN, ENVIRONMENTALISTS FEAR EXTINCTION OF SPECIES

By DAVID SNEED
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Steelhead populations along the Central Coast were listed as threatened by the federal government nearly two years ago, but federal game wardens have no way to protect the fish.

This caused a coalition of fishermen and environmentalists to sue the National Marine Fisheries Service this week. They charge that the agency's failure to issue rules protecting the fish is pushing them closer to the brink of extinction.

Without a clear set of protective regulations, as required by the Endangered Species Act, steelhead are continuing to be killed by water diversions and a loss of critical habitat, said Jeff Miller of the Alameda Creek Alliance, one of the plaintiffs. The lawsuit lists abuses and fish kills in more than 30 steelhead streams, including five in San Luis Obispo County.

"Conditions for steelhead have not improved with the threatened listing," Miller said.

Steelhead are an ocean-going trout species that spawn in coastal creeks. They were listed as threatened along the Central Coast in August 1997.

The five San Luis Obispo County creeks listed in the suit

are Arroyo Grande Creek, Chorro Creek, Santa Rosa Creek, San Simeon Creek and Arroyo de la Cruz. Miller joked that some creeks in the state have so few steelhead that "we've considered naming them rather than counting them."

Specifically, the groups want the federal agency to issue rules to prohibit unauthorized killing or harassing of steelhead as well as adverse modification of their habitat. The groups notified the agency of their intent to sue in April, as required by law, but the agency has not issued any protection rules.

"We know from our experience in California with winter-run Chinook salmon that the Endangered Species Act can work to protect and recover fish," said Zeke Grader, of the Pacific Coast Federation of Fishermen's Associations. "But it works only if it is enforced, that's why we need enforcement now to begin the recovery of steelhead."

Roy Torres, a law enforcement agent with the National Marine Fisheries Service who patrols the Central Coast, confirmed that his agency has not issued protective rules but does not know why. Until those rules are written, all protection of the fish is ceded to the California Department of Fish and Game.

The rules, when written, will cover any activity that will affect the fish and their habitat. These include fishing, poaching, water diversions and streambed alterations.

"As soon as these regs are written, I will have the tools to start enforcement of these,

threatened species," Torres said.

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 reduced 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.

Miller said 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 stream flows and to prevent further habitat destruction.

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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