

## EXHIBIT 1

### Consistency with Specific County Local Coastal Program Policies

#### *SANTA CRUZ*

The General Plan and Local Coastal Program (LCP) for the County of Santa Cruz was effectively certified December 19, 1994. This LCP includes numerous provisions for the protection and enhancement of coastal streams and the aquatic resources found within them.

The principal objective for the Biological Resources section of the LCP is “(t)o maintain the biological diversity of the County through an integrated program of open space acquisition and protection, identification and protection of plant habitat and wildlife corridors and habitats, low-intensity and resource compatible land uses in sensitive habitats and mitigations on projects and resource extraction to reduce impacts on plant and animal life” (LCP Chpt. 5).

The LCP sets criteria for establishing funding priorities among restoration projects. In particular, the first criteria is “. . . the biological significance of the habitat, including productivity, diversity, uniqueness of area, presence of rare, endangered or unique species, or regional importance (e.g., waterfowl resting areas, etc.)” (LCP 5.1.15, p. 5-7).

Inasmuch as the goal of the proposed project is to provide sufficient baseline information and strategic planning necessary to improve habitat within central and south coast streams for the endangered southern California steelhead, and other species, the proposed project is therefore consistent with this LCP. By collecting, archiving, and analyzing all available stream habitat and fishery survey data available within the project area, the proposed project will meet the objective listed above, and help to satisfy several of the priorities listed in the LCP. These include a variety of objectives and programs, as described below, to protect Sensitive Habitats, which include riparian corridors and areas that provide habitat for rare, endangered, or threatened species.

Objective 5.2 Riparian Corridors and Wetlands: To preserve, protect and restore all riparian corridor and wetlands for the protection of wildlife and aquatic habitat, water quality, erosion control, open space, aesthetic and recreational values and the conveyance and storage of flood waters (p. 5-9).

Objective 5.4 Monterey Bay and Coastal Water Quality: To improve the water quality of Monterey Bay and other Santa Cruz County coastal waters by supporting and/or requiring the best management practices for the control and treatment of urban run-off and wastewater discharges in order to maintain local, state, and national water quality standards, protect county residents from health hazards of water pollution, protect the County’s sensitive marine habitats and prevent the degradation of the scenic character of the region (p. 5-14).

Program A: Continue to coordinate with federal, state, and other local agencies, including NOAA, the Coastal Commission, the Regional Water Quality Control Board, and AMBAG, to manage and protect the resources of the Monterey Bay National Marine Sanctuary (p. 5-16).

Program H: Evaluate those Sensitive Habitats [which include riparian corridors], which are affected by agricultural activities to determine their biological importance relative to the importance of the agricultural use and develop programs to resolve conflicts between resource use and protection (p. 5-6).

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### *MONTEREY*

The Monterey County LCPs also contain numerous provisions for the protection and enhancement of streams and rivers throughout the County, as well as for the enhancement of species that depend on the habitats provided within such watersheds.

The Monterey County Coastal Implementation Plan for the Land Use Plan (LUP), certified by the Coastal Commission January 12, 1988, includes numerous development standards for actions that might effect environmentally sensitive habitat areas. The intent of this section is to provide development standards that allow for the protection, maintenance, and, where possible, enhancement and restoration of North County environmentally sensitive habitats (LUP Chapter 20-144-040, p. NC-21). Additionally, the County adopted a watershed Restoration Program that “encourages the long range restoration of watersheds experiencing excessive erosion. . . .” (LUP 2.5.3 (C)(7), p. 24) The proposed project is consistent with this LUP in that it will provide essential baseline information to determine the status of environmentally sensitive habitat areas within the North County, and provide for their protection and enhancement.

The Monterey County LCP for the Carmel Area specifically speaks to the Carmel River, and San Jose, Gibson, Wildcat, and Malpaso creeks. The Key Policy of the Carmel Area LCP is that “(t)he water quality of the Carmel Area’s coastal streams . . . shall be protected and maintained.” In particular, the LCP states, “(i)nstream flows should be protected in order to maintain the natural plant community and fish and wildlife. In general, the County will require adherence to the best watershed planning principles, including: stream setbacks, stream flow maintenance, performance controls for development, site features, maintenance of safe and good water quality, protection of natural vegetation along streams, and careful control of grading to minimize erosion and sedimentation.” (LCP 2.4.2, pp. 25-26) The proposed project is consistent with this section in that it will provide the County with sufficient information with which to achieve this policy.

The Carmel LCP also specifically recommends that “(a) fish ladder should be constructed at the diversion dam on San Jose Creek to facilitate migration of steelhead for spawning upstream. Funding for this ladder should be requested from the State Department of Water Resources through its Stream Enhancement Program.” (LCP 2.3.5, p. 22) The proposed project will help determine the history and status of this recommended action, and is therefore consistent with the LCP in this regard.

The Big Sur Coast Land Use Plan (LUP) was effectively certified April 9, 1986. Its basic goal is “(t)o preserve for posterity the incomparable beauty of the Big Sur county, its special cultural and natural resources. . . . (t)o this end, all development must harmonize with and be subordinate to the wild and natural character of the land.” (LUP 2.1, p. 6) The County’s basic policy is “to take a strong and active role in the stewardship and safeguarding of Big Sur’s irreplaceable natural resources. Where there are conflicts, protection of these national resources is the primary objective with definite precedence over land use development.” (LUP 2.2, p. 7)

In recognition that “(w)ater is the lifeblood of both the natural ecosystem and all of the domestic uses on the Big Sur Coast” (LUP 3.4, p. 24), the LUP enumerates many policies to ensure the protection and enhancement of Big Sur’s coastal watersheds. In particular, “(w)ater quality, adequate year-round flows, and stream bed gravel conditions shall be protected in streams supporting rainbow and steelhead trout. These streams include: Garrapata Creek, Rocky Creek, Bixby Creek, Little Sur River, Big Sur River, Partington Creek, Anderson Creek, Hot Springs Creek,

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Vicente Creek, Big Creek, and Limekiln Creek.” (LUP 3.4.3 (B)(3), p. 27) Further, the LUP states that “(t)he State Department of Fish and Game, or other appropriate agencies should undertake studies to determine instream flow requirements to maintain the natural environment on all of Big Sur’s streams that support resident or anadromous fish populations. Such studies should enlist the cooperation, participation, and guidance of local residents. The Department of Fish and Game should file for necessary water rights to protect the fishery resource.” (LUP 3.4.4, pp. 30-31)

***SAN LUIS OBISPO***

The San Luis Obispo LCP, certified by the Coastal Commission on April 12, 1984, includes specific provisions for the protection and enhancement of coastal streams and the environmentally sensitive habitat they provide. The LCP states “(c)oastal streams directly affect the coastal environment” and “significantly influence flooding, natural ecosystems, sediment transport, agricultural water supply, and groundwater recharge within the coastal zone.” (LCP (1)(C), pp. 6-14 to 6-18) The LCP lists nine specific policies adopted by the County which provide for the protection and enhancement of coastal stream habitats in San Luis Obispo County. In particular, Policy 25 states “(s)stream diversion structures . . . shall be sited and designed to not impede up and downstream movement of native fish or to reduce stream flows to a level which would significantly affect the biological productivity of the fish and other stream organisms.” (LCP policy 25, p. 6-17) The proposed project is consistent with this LCP in that it will provide important baseline information to help protect and enhance coastal stream habitat consistent with existing LCP policies.

The San Luis Obispo County Estero Area Local Coastal Plan identifies Morro Bay as the most important wetland resource on the central coast, and calls for the development of a watershed management program by the County and other agencies to support the continued viability of all estuarine activities in Morro Bay. The proposed project will contribute information essential to future activities intended to protect the downstream water quality and health of the riparian, wetland and aquatic habitats of Estero tributaries and the estuary, an important rearing area for juvenile salmonids.

***SANTA BARBARA***

The proposed project is consistent with the certified LCP of Santa Barbara County. Section 3.9.2 of the County’s LCP defines environmentally sensitive habitats as including those areas in which plant or animal life or their habitats are rare or especially valuable because of their special nature or role in an ecosystem. Section 3.9.2 specifically identifies as environmentally sensitive “rare and endangered species habitats” and “specialized wildlife habitats which are vital to species survival.” Such habitats are to be preserved and protected. Further, Section 3.9.5 states, “Public action is needed to restore South Coast streams that have been interrupted or altered by culverts along Highway 101.” Consistent with these sections, the goal of the proposed project is to provide sufficient baseline information and strategic planning necessary to improve habitat within south coast streams for the endangered southern California steelhead.

Section 3.3.4 of the County’s LCP notes that watersheds “have potential for impacts on coastal streams, wetlands, [and] estuaries,” and states that protection of watersheds is necessary to “insure continued biological productivity of coastal streams and wetlands.” Although areas identified by this project as requiring action may lie outside the coastal zone, the project is consistent

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with LCP policies calling for protection of entire watersheds because of their hydrologic and biologic links to coastal zone resources.”

Projects selected for design and permitting under this authorization may include sites within the City of Santa Barbara. Policy 6.1 of the City’s certified LCP provides that the City “shall protect, preserve, and, where feasible, restore the biotic communities designated in the City’s Conservation Element of the General Plan.” More specifically, Policy 6.8 of the City’s LCP provides, “The riparian resources, biological productivity, and water quality of the City’s coastal zone creeks shall be maintained, preserved, enhanced, and, where feasible, restored.” The proposed project will provide access to information vital to the strategic and informed design of watershed enhancement projects for City creeks and would greatly facilitate the enhancement of these streams and help restore their steelhead runs. Therefore, the proposed project is consistent with the City’s LCP.

### *VENTURA*

The Ventura County LCP, certified June 17, 1982, classifies creek corridors as environmentally sensitive habitat areas. The LCP holds the objective of maintaining creek corridors in as natural a state as possible while still accommodating the needs of public health and safety. (LCP p. 28) The LCP states that “(a)ll projects on land either in a stream or creek corridor (buffer area) shall be sited and designed to prevent impacts which would significantly degrade riparian habitats, and shall be compatible with the continuance of such habitats. (LCP p. 28) The proposed project is consistent with this section of the LCP in that it will provide baseline biological information with which to assess the habitat quality and quantity of this region, and to provide recommendations for the enhancement of coastal watersheds and the aquatic resources found there.

Rincon Creek is the only perennial riparian creek corridor on the North Coast, however other streams and creeks are considered to be watercourses. South Coast streams are more numerous, and receive additional consideration and protection in the LCP, which states “(s)ubstantial alterations . . . to river, stream, or creek corridors are limited to . . . (d)evelopments where the primary function is the improvement of fish and wildlife habitat,” (LCP, p. 112, C(3)(c)) and “(t)he Coastal Commission’s adopted 'Statewide Interpretive Guidelines for Wetlands and Other Environmentally Sensitive Habitats' will be used when evaluating new projects in creek corridors” (LCP p. 112, C(5)) The proposed project is consistent with this section in that it will provide necessary information for the evaluation of proposed projects and for the protection and enhancement of environmentally sensitive habitats.

The LCP concludes that “(t)he Santa Monica Mountains contain some of the most significant inland habitats in the County’s coastal zone. Many of creeks and streams with their riparian corridors . . . can be found in the mountains.’ The County objective “(t)o preserve and protect the upland habitats of the Santa Monica Mountains” (LCP pp. 112-113) is furthered by the policy adopted by the County to “update its inventory of upland habitats . . .” and prepare “. . . a map focusing on sensitive environmental habitats and their buffers. . . .” (LCP p. 113, D(2)) The proposed project is consistent with the aforementioned objective and policy in that it will provide additional information regarding the significant inland habitats, and will assist with the strategic conservation and enhancement of those resources.

Lastly, the proposed project is consistent with the Ventura County Local Coastal Program policy that requires the county to “work in close cooperation with other agencies and jurisdictions to

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provide comprehensive and biologically sound management of coastal wetlands.” The proposed project will have positive impacts on the water quality and biological productivity of Ventura County watersheds, including their wetland and riparian areas.

***LOS ANGELES***

Most, if not all of the fisheries habitat data for Los Angeles County pertains to streams draining the Santa Monica Mountains, particularly in Malibu and the nearshore waters of Santa Monica Bay. This project is consistent with the Malibu Local Coastal Program–Land Use Plan (LUP) adopted by the California Coastal Commission on September 13, 2002.

The LUP contains policies that protect the environmentally sensitive habitat areas in Malibu, including riparian corridors along streams and creeks. In addition, the LUP provides protection for marine resources, including kelp forests, intertidal areas, and near shore shallow water habitats. LUP Policy 3.1 designates riparian areas, streams and native woodlands as “Environmentally Sensitive Habitat Areas” (ESHAs) requiring conservation, and where possible, enhancement and restoration. LUP Policy 3.81 states that “efforts . . . to increase monitoring to assess the conditions of near shore species, water quality and kelp beds, and to rehabilitate or enhance areas that have been degraded by human activities shall be encouraged and allowed.” The proposed project will provide access to information vital to the strategic and informed design of watershed enhancement projects for Santa Monica Mountain watersheds, and would greatly facilitate the enhancement of these streams and help restore their steelhead runs. Therefore, the proposed project is consistent with the aforementioned LUP.

***ORANGE***

Orange County has few known anadromous fish resources. However, the County LCP, submitted on July 22, 1981, and effectively certified on October 27, 1983, contains strong provisions for the protection and restoration of fish and their habitat. Enhancement of the environment is one of eight major land use policies of the Land Use Element. The LCP seeks to “guide development so that quality of the physical environment is advanced.” (LCP III-11) Specific provisions of the LCP include the following:

“The County of Orange shall identify fish, wildlife and vegetation habitats throughout the County . . . and to preserve the fish, wildlife and vegetation species of the County.” (LCP III-12, no. 12) Consistent with this section, the proposed project will identify historic fish and habitat populations and condition, and to facilitate the protection and enhancement of existing and historic populations.

“The County of Orange shall prevent the elimination of fish or wildlife species due to man’s activities; ensure that fish and Wildlife populations do not drop below self-perpetuating levels; preserve, protect and enhance for future generations all animal communities. . . .” (LCP III-13, no. 12) Consistent with this section, the proposed project will identify historic fish and habitat populations and condition, and to facilitate the protection and enhancement of existing and historic populations.

***SAN DIEGO***

All known steelhead resources in San Diego County are located on federal land, particularly within the San Mateo Creek watershed. Therefore, there is no applicable Local Coastal Program;

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however, the project will affect the coastal zone. Since the objective of the project is to restore streams such as San Mateo Creek and the native populations of fish that once made it their home, and since the collection, archiving and analysis of data pertinent to that watershed will facilitate such an effort, therefore the proposed project would be consistent with the planning and management policies contained in Section 30231 of the Public Resources Code, which states that “[t]he biological productivity and the quality of coastal waters, streams, wetlands, estuaries and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored. . . .”