

COASTAL CONSERVANCY

Staff Recommendation

September 15, 2004

**SAN MATEO CREEK STEELHEAD RECOVERY PROJECT
PHASE III**

File No. 04-069

Project Manager: Christopher Kroll

RECOMMENDED ACTION: Authorization to disburse up to \$100,000 to Trout Unlimited to continue testing and planning for an exotic aquatic and terrestrial animal and plant species management program in the San Mateo Creek watershed.

LOCATION: The San Mateo Creek watershed is located in northern San Diego County and encompasses part of the Cleveland National Forest (CNF), the north end of Camp Pendleton Marine Corps Base, and surrounding private lands. This project will be confined to the CNF portion of the creek (see Exhibit 1).

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

Exhibit 1: Project Location Map

Exhibit 2: Letter from California Department of Fish and Game

Exhibit 3: April 24, 2003 Staff Recommendation

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to Trout Unlimited to undertake additional testing of non-native fish/bullfrog removal techniques, development of a non-native species management strategy, and preparation of environmental documentation for implementation of a management strategy to support recovery of the steelhead trout and other native fish populations in San Mateo Creek watershed:

1. Prior to the disbursement of any Conservancy funds, Trout Unlimited shall submit for the review and written approval of the Executive Officer of the Coastal Conservancy:
 - a. A final work program, schedule and budget for the project.
 - b. The names and qualifications of all contractors to be used for the project.
 - c. Evidence of all permits and approvals for the project.
2. Trout Unlimited shall review its proposed testing techniques on-site with a knowledgeable representative of the California Department of Fish and Game prior to using them.
3. Trout Unlimited shall provide written evidence to the Executive Officer that permission has been received from landowners from each owner of land, public or private, on which work is to be done.
4. Trout Unlimited shall acknowledge funding from Proposition 12 and the Conservancy on all documents/reports prepared under this authorization.

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31251-31270 regarding enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Trout Unlimited is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code and whose purposes are consistent with Division 21 of the Public Resources Code.”

PROJECT SUMMARY:

The proposed action recommends a grant of up to \$100,000 to continue the development of a long-term strategy for reducing exotic aquatic and terrestrial animal and plant populations that limit the potential for restoring steelhead trout and other native fish populations in the San Mateo Creek watershed. A habitat assessment and evaluation of exotic animal species removal techniques (exotic species monitoring/survey) were completed earlier this year. The proposed authorization would include additional exotic animal species removal testing and monitoring to analyze the impacts of this year’s exotic animal species removal and help determine an effective removal technique to significantly reduce and control the non-native fish and bullfrog population in the watershed. A new survey would compare population numbers of exotic species with this year’s survey findings. This new information would help inform the development of a strategy for managing non-native species in the watershed. The grant would also include the preparation of environmental documentation needed to implement the strategy.

Proposition 12 specifically allocates funds to be administered by the Conservancy for restoring fish to San Mateo Creek. Exotic animal species, including largemouth bass, brown bullhead, green sunfish, and bullfrogs, are major predators of the native steelhead and partially armored threespine stickleback, and have invaded San Mateo Creek (Creek) in large numbers. Invasive plants, including giant reed (*Arundo donax*), tamarisk, pampas grass, castor bean, and others also have gained a foothold in the watershed, encroaching on the native habitat necessary to support indigenous fish populations.

Site Description: San Mateo Creek rises in the Cleveland National Forest and flows in a south-westerly direction to the Pacific Ocean just south of San Clemente (Exhibit 1). Much of the lower reach flows through the Camp Pendleton Marine Corps Base (Base). The creek was at one time an important steelhead-producing stream in San Diego County, supporting significant local sport fisheries of both juveniles and adults. Newspaper articles from 1916, for example, report a large steelhead/rainbow trout population and high fishing success in the creek. Local residents and Department of Fish and Game (DFG) personnel have reported seeing adult steelhead ranging up to 4 feet and weighing up to 15 pounds between 1900 and 1950. After 1950 surveys began to reflect a decline of juvenile steelhead/rainbow trout in San Mateo Creek.

By 1991 one researcher classified the San Mateo Creek steelhead population as extinct. But in 1999, a fisherman reported catching and releasing a steelhead/rainbow trout from San Mateo Creek. Numerous sightings of a small population of these fish have been made since. Studies of individual fish by the DFG and the National Marine Fisheries Service (NOAA Fisheries) have confirmed that they were anadromous steelhead. Wildlife biologists have become increasingly aware that the production capability of small coastal streams such as San Mateo Creek may be relatively small compared to large, perennial river systems, but collectively they provide a means to ensure a greater diversity of subpopulations, and are critical to range expansion and recovery after drought or other perturbations.

Project History: In September 2002, the Conservancy granted an initial \$50,000 to Trout Unlimited (TU) to begin planning for needed restoration activities. In April 2003, the Conservancy added an additional \$150,000 to the initial grant when it became clear that additional funds were needed to complete a habitat assessment and evaluation of exotic species removal techniques. This initial assessment work has now been completed and two reports have been prepared: *Habitat Assessment Data Report*, and *Evaluation of Exotic Species Removal Techniques*. TU has been the lead for the project in consultation with the Conservancy, U.S. Forest Service (USFS), NOAA Fisheries, U.S. Fish and Wildlife Service (USFWS), DFG, Camp Pendleton USMC, California Department of Parks and Recreation (DPR), San Diego Trout, and other agencies and organizations.

PROJECT FINANCING:

Coastal Conservancy	\$100,000
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The anticipated source of Conservancy funds is an appropriation to the Conservancy from the “Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000” (Proposition 12) for the restoration of native fish to San Mateo Creek.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

Chapter 6 of Division 21 of the Public Resources Code (Sections 31251 *et seq.*) provides for the Coastal Conservancy’s participation in a program of coastal resource enhancement. The proposed authorization would facilitate the study and enhancement of wetland and riparian resources at San Mateo Creek that have become degraded due, in part, to human activities. The proposed authorization may also lead to the enhancement of the natural and scenic character of the area, and the ability of the watershed to support steelhead trout and other endangered species. Accordingly, the proposed authorization is consistent with Section 31251, under which the Conservancy may award grants to state agencies, local public agencies, and nonprofit organizations for projects that seek to remedy loss of natural and scenic values because of natural or human-induced events.

Public Resources Code Section 31251.2(a) authorizes Coastal Conservancy participation in projects to enhance a watershed resource that is partly outside of the coastal zone where such action protects or enhances coastal resources within the coastal zone. Camp Pendleton officials have been carrying out a control program to remove non-native fish from the lagoon at the mouth of San Mateo Creek. Reducing the exotic fish and bullfrogs infesting the pools outside the coastal zone in the upper San Mateo Creek watershed will enhance the resource by slowing or halting the re-infestation of the whole stream system, including that portion within the coastal zone, when water flow returns.

Public Resources Code Section 31251.2(a) further provides that “[a]ny of these projects or grants which involve the management of fish shall be approved by the Department of Fish and Game.” Consistent with this provision, the DFG has participated in development of the project and will be directly involved in its implementation. See attached support letter from DFG (Exhibit 2).

Public Resources Code Section 31252 specifies that “[a]ll areas proposed for resource enhancement by a state agency, local public agency, or nonprofit organization shall be identified in a certified local coastal plan or program as requiring public action to resolve existing or potential resource protection problems or shall be so identified in other local plans which the commission determines to be consistent with the policies and objectives of Division 20 (commencing with Section 30000). . . .” Since the project area is on federal land, no local coastal program exists or will be developed. However, on September 26, 2002, the Conservancy adopted the San Mateo Creek Enhancement Plan in conjunction with funding the San Mateo Creek Urgent Action Program. Consistent with Section 31258(a), on September 30, 2002, the plan was provided to the Coastal Commission for comment, and deemed consistent with the Coastal Act after passage of 60 days. As discussed under “Consistency with the Coastal Act” below, the Plan is consistent with Section 30231 of Division 20 of the Public Resources Code, which provides for restoring the biological productivity of coastal waters.

Public Resources Code Section 31253 provides that the Conservancy “may provide up to the total cost of any coastal resource enhancement project. . . .” Staff is recommending that the Con-

servancy authorize funds toward the process of restoring the resources of the San Mateo Creek watershed.

Public Resources Code Section 31111 states that the Conservancy “may fund and undertake plans and feasibility studies, and may award grants to public agencies and nonprofit organizations for these purposes.” Consistent with this section, this authorization would award a grant to a nonprofit organization to develop a plan for long-term management of non-native fish in the San Mateo Creek watershed.

CONSISTENCY WITH CONSERVANCY’S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 5, Objective A**, the proposed authorization will lead to the restoration and enhancement of stream corridor habitat in a coastal watershed.

Consistent with **Goal 5, Objective B**, the proposed authorization will preserve and restore San Mateo Creek as an important habitat corridor for the endangered steelhead trout and other native fish species.

Consistent with **Goal 5, Objective C**, the proposed authorization will lead to the eradication of non-native invasive species that threaten native coastal habitats.

Consistent with **Goal 6, Objective A**, the proposed authorization will lead to the improvement of habitat in a coastal watershed.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed authorization is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

Promotion of the Conservancy’s statutory programs and purposes: See the "Consistency with Conservancy’s Enabling Legislation" section above.

Consistency with the purposes of the funding source: The proposed actions to improve habitat for native fish are consistent with the funding source, an appropriation to the Conservancy from the Coastal Protection Program of Proposition 12, which specifically provides for such activities within the San Mateo Creek watershed.

Support of the public: The proposed authorization has the continuing support of legislators, public agencies and environmental organizations such as Senator Bill Morrow, TU, San Diego Trout, DFG, USFS, NOAA Fisheries, USFWS, and DPR.

Location: The proposed project is located in upper San Mateo Creek and its watershed, within historic steelhead spawning habitat and in adjacent areas affecting that habitat, including areas in the coastal zone.

Need: The financial support and participation of the Conservancy are critical for the success of this project. The USFS, NOAA Fisheries, TU, and DFG are all operating on limited budgets and staffing resources that must be spread across their jurisdictional responsibilities. At the same time, Proposition 12 specifically allocates funds for the Conservancy to restore native fisheries to the San Mateo Creek watershed. Without the Conservancy funding specifically allocated to San Mateo Creek, the cooperating federal, state, and private organizations (USFS, NOAA Fisheries, DFG, TU) would not have the funds to accomplish this restoration. Moreover, the Conservancy’s organizing, funding, and staff assistance help catalyze a coordinated, comprehensive, cooperative effort among the agencies and organizations that have jurisdiction and interest in various parts of the watershed. The project will continue work on a comprehensive, workable restoration plan for the watershed’s critical resources.

Greater-than-local interest: Restoration of salmon habitat has great priority at both a state and nationwide level. Southern steelhead has been designated as an endangered species under the federal Endangered Species Act. NOAA Fisheries has recognized the importance of restoring populations of steelhead in southern California streams, and San Mateo Creek in particular, to long-range species recovery efforts. It extended the range of the endangered species designation of the southern California steelhead to include San Mateo Creek and areas to the south.

The California Department of Fish and Game published a Steelhead Restoration and Management Plan (Feb. 1996) that specifically calls for an “assessment of habitat and the potential for restoration of streams south of Los Angeles.” The statewide bond measure, Proposition 12, specifically identifies the restoration of native fish to San Mateo Creek as a state priority, and allocates \$800,000 specifically for that effort.

Additional Criteria

Conflict Resolution: The proposed authorization will continue to build the working relationship between government agencies and public advocacy groups that has replaced what were sometimes contentious and unproductive interactions with cooperation and a growing sense of trust.

Cooperation: The involved governmental agencies and private organizations have committed to participating in a process to determine the best approach to addressing the problems of the San Mateo Creek watershed.

CONSISTENCY WITH THE COASTAL ACT:

The proposed authorization is 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. . .” The objective of the project, consistent with the San Mateo Creek Enhancement Plan adopted by the Conservancy in September 2002, is to restore San Mateo Creek and the native populations of fish that once made it their home. The project is entirely on federal land, so there is no applicable Local Coastal Program; however, the project will benefit coastal zone resources.

COMPLIANCE WITH CEQA:

The proposed project would involve testing and monitoring of non-native fish and bullfrog removal techniques, development of an exotic species management strategy, and preparation of environmental documentation for implementation of the management strategy. The testing of removal techniques will result in the removal, killing and disposal of non-native fish and bullfrogs from San Mateo Creek. This action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code of Regulations Section 15301(i) which exempts “maintenance of... wildlife habitat areas...streamflows, springs and waterholes to protect fish and wildlife resources.” The testing of removal techniques and removal of non-native animal is consistent with the need to protect the native fish resources of San Mateo Creek.

The project is also categorically exempt under Section 15304 as it will involve a minor alteration of land or water which will not include the removal of healthy, mature, scenic trees. Electro-shocking, seining, trapping and killing of non-native fish and bullfrogs is a minor alteration of land or water “on existing officially designated wildlife management areas (San Mateo Canyon Wilderness Area of Cleveland National Forest) which (will) result in improvement of habitat for fish and wildlife resources” consistent with Section 15304. Non-native fish and bullfrogs are preying on native fish, notably the endangered steelhead trout, and reducing populations of these native fish.

Testing of removal techniques and removal of non-native animals from San Mateo Creek is categorically exempt under Section 15306 as well as it involves “basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource...” The use of removal techniques and killing of some number of non-native fish and bullfrogs in the creek will not cause a major disturbance to the creek and will, in fact, benefit the native fish species of the watershed. In addition, pursuant to Section 15306, the proposed project is categorically exempt as it is “part of a study leading to an action which a public agency has not yet approved, adopted, or funded.”

The proposed project also involves the development of a long-term management strategy for non-native species in the San Mateo Creek watershed upstream of Camp Pendleton Marine Corps Base. Development of a long-term strategy only involves feasibility and planning for possible future actions and, thus, is statutorily exempt (14 Cal. Code of Regulations Section 15262) from the provisions of the CEQA.

The California Department of Fish and Game has sent a support letter which is attached as Exhibit 2.

Any projects later proposed for Conservancy authorization of funding for implementation will be evaluated as required by CEQA.

EXHIBIT 2

Letters of Support

Additional letters will be mailed separately and/or hand-carried to the meeting.