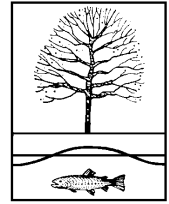


# SANTA BARBARA URBAN CREEKS COUNCIL

P.O. Box 1083, Carpinteria, CA 93014 (805) 968-3000

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October 7, 2003

Andy Fecko  
State Water Resources Control Board  
Division of Water Rights  
1001 "I" Street  
Sacramento, CA 95812 TRANSMITTED BY EMAIL to [afecko@waterrights.swrcb.ca.gov](mailto:afecko@waterrights.swrcb.ca.gov)

**Re: Comments on Draft EIR; Proposed Modifications to the Bureau of Reclamation's Cachuma Project Water Rights Permits to Protect Public Trust Resources in the Santa Ynez River**

Dear Andy Fecko,

The Santa Barbara Urban Creeks Council is a non-profit 501(c)3 with a membership base of more than 3000 people. We represent public view in matters pertaining to natural streams and rivers in the Santa Barbara County. We have a long history of advocacy and involvement in restoring and protecting streams, natural water systems, and populations of native fish. We support maximum steelhead restoration. It is our view that the Santa Ynez River steelhead population represents the key to protecting the Southern California Steelhead as a species.

We are concerned that the DEIR fails to define what it will take to protect steelhead as a public trust resource. Protecting public trust resources includes restoration. The State Water Board should establish population based success criteria to define and measure protection of steelhead in the Santa Ynez River.

Additionally, we have concerns that the proposal to benefit steelhead only maintains steelhead as endangered and does not fulfill an important project objective, protection of steelhead as a public trust resource. The project consists of the measures in the Biological Opinion for the Cachuma Project, but these measures only prevent further jeopardy of steelhead and do not

recover or restore steelhead. Larger and more continuous water releases are required to turn the wide, flat lower river into good steelhead habitat. Flows are not guaranteed.

The Adaptive Management Committee comprised of four water resource agencies and three fish resource agencies can reduce the proposed flows with no guiding criteria and no accountability for their decisions.

The DEIR fails to consider Fish and Game Code Section 5937 and what measures are necessary to keep steelhead below the dam in “good condition.” The Biological Opinion measures are not sufficient to maintain “good condition” because they fail to protect individual steelhead and keep the population in the river below Bradbury Dam in a healthy state.

The DEIR does not consider alternatives other than the Biological Opinion to protect steelhead. Most importantly, it does not consider implementation of a means of providing passage to suitable habitat above Bradbury Dam. It does not consider greater minimum mandatory flows below the dam. It does not consider maximizing beneficial use of downstream water rights releases for steelhead, such as providing continuous minimum flow.

The project objectives limit protection of steelhead to below Bradbury Dam, but restoration of a sustainable steelhead population requires access to the river’s perennial headwaters, since Bradbury Dam blocks steelhead migration to spawning areas. The proposed project should protect steelhead throughout the watershed including those trapped above and below the dam.

Water supply impacts during droughts can be avoided or minimized by water conservation, alternative sources or maximum beneficial use of downstream releases.

Thank you for your attention to our concerns. We are sure that steelhead trout in the Santa Ynez River can again flourish if proper measures are taken to improve conditions. We are committed to restoring this vitally important Southern California Steelhead run.

Sincerely,

Eddie Harris  
Vice President  
Santa Barbara Urban Creeks Council

cc: Environmental Defense Center  
CalTrout  
SB ChannelKeeper

