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PRESS RELEASE

For Immediate Release: October 10, 2014

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ENVIRONMENTAL GROUP SUES FEDERAL GOVERNMENT OVER ENDANGERED STEELHEAD TROUT DEATHS

Santa Barbara, Calif. – Watershed and fish advocacy organization California Trout, represented by the Environmental Defense Center (EDC), filed a lawsuit on October 6th in federal district court in Los Angeles against the United States Bureau of Reclamation (Bureau). The lawsuit alleges that the Bureau violated the federal Endangered Species Act (ESA) by causing the deaths of hundreds of endangered Southern California steelhead trout (*Oncorhynchus mykiss*) at Hilton Creek, below the Bradbury Dam and Cachuma Reservoir in Santa Barbara County.

Southern California steelhead, one of the most endangered fish in the United States, are a form of rainbow trout that spawn in coastal streams in Southern California before migrating to the Pacific Ocean to mature. The fish has evolved over the millennia to tolerate the region's warmer freshwater – a genetic trait, which could prove vital to the survival of steelhead populations throughout the world as ocean temperatures rise due to climate change. Because they are particularly sensitive to water quality and temperature, steelhead are a critical indicator of the overall health of a watershed.

Southern California steelhead historically occupied coastal streams from Santa Barbara County in the north to the California-Mexico border in the south. The species was listed as federally endangered in 1997, after its population plummeted from as many as 46,000 adult fish last century to fewer than 500 adult fish today. This dramatic decrease was primarily the result of the construction of dams, which block steelhead access to upstream spawning habitats and dewater southern California's streams. Once a steelhead stronghold, the Santa Ynez River and its tributaries, including Hilton Creek, saw steelhead populations collapse following the construction of Bradbury Dam in 1953. The Santa Ynez River steelhead run was estimated at between 13,000–25,000 adult fish in the last century but has fallen to only a handful of adult fish making the migration under current conditions.

Hilton Creek, which is located directly downstream from Bradbury Dam, is designated by the National Marine Fisheries Service as critical habitat for the endangered steelhead. The Bureau is required, pursuant to the ESA and a Biological Opinion issued by the National Marine Fisheries Service in 2000, to release water into Hilton Creek to ensure adequate flows for the species to migrate, spawn and mature and to ensure that the fish does not fall

further into jeopardy of extinction. Water released into Hilton Creek flows directly into the main stem of the Santa Ynez River, providing water for downstream agricultural and other users.

Between March 2013 and June 2014 the Bureau's water pumps continually failed, causing Hilton Creek to run dry, and leading to the death of at least 393 steelhead.

"The Hilton Creek fish kills are a good illustration of the problems that plague the entire Santa Ynez River watershed," said Kurt Zimmerman, California Trout's Southern California Program Manager. "Before the construction of Bradbury Dam, the Santa Ynez River supported the largest single run of steelhead south of San Francisco. The number of adult fish in this watershed will remain negligible or even decline until the Bureau manages the operation of the dam in a manner consistent with the protection and recovery of this important species."

The fish deaths occurring at Hilton Creek underscore the need to adopt holistic solutions to species recovery so that manual water releases are not the primary focus of recovery efforts. California Trout is also working to secure measures that will restore steelhead on the larger Santa Ynez River system, including adjusting the schedule of planned downstream water releases to better reflect natural flows, restoring fish passage over Bradbury Dam and increased water conservation throughout the region.

Despite the recurring fish kills, the Bureau has failed to make necessary permanent repairs to the existing pumps and backup systems. By allowing these deaths to occur, the Bureau has placed the Santa Ynez River's tenuous steelhead run—and the entire species—at an increased risk of extinction, and has violated federal law mandating the species' protection and restoration.

"The Bureau's foot dragging has already resulted in the deaths of at least 393 steelhead," said EDC Staff Attorney Nicole Di Camillo. "After months of failed efforts and temporary fixes leading to further deaths of this keystone species, it is time for the Bureau to identify and implement a permanent fix."

On behalf of California Trout, EDC sent the Bureau a "Notice Letter" in May 2014, documenting the fish kills and demanding that the Bureau make the necessary repairs to the pumps and back-up systems and consult with the National Marine Fisheries Service, which has jurisdiction over the species. Because the Bureau has still not made permanent repairs to the system, California Trout filed its lawsuit on October 6, 2014, to force the Bureau to make the repairs and conduct the consultation.

California Trout's case does not relate directly to water management practices during the current drought. The Biological Opinion already has provisions changing or reducing the amount of water to be released during critical drought years.

Zimmerman hopes that the filing of this lawsuit will encourage the Bureau to make the necessary repairs as quickly as possible to protect the remaining steelhead in Hilton Creek.

The complaint can be viewed here: <http://edcnet.org/pdf/HiltonCreekComplaint.pdf>

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Concerned about deteriorating fishing conditions throughout the state, a passionate group of anglers founded **California Trout** in 1971. CalTrout is a 501(c)(3) organization whose mission is to protect and restore wild trout, steelhead, salmon and their waters throughout California. CalTrout has worked to protect and restore the Santa Ynez River steelhead population since 1990. Learn more about CalTrout at <http://caltrout.org/>

The **Environmental Defense Center**, a non-profit law firm, protects and enhances the local environment through education, advocacy, and legal action and works primarily within Santa Barbara, Ventura, and San Luis Obispo counties. Since 1977, EDC has empowered community based organizations to advance environmental protection. Program areas include protecting coast and ocean resources, open spaces and wildlife, and human and environmental health. Learn more about EDC at www.EnvironmentalDefenseCenter.org