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Storms Brew Over Water Protections By ANDREA ADELSON

An authoritative federal wildlife regulator now says steelhead trout historically survived in Aliso Creek and could live there again, a reversal with a potentially rippling impact on commercial and public projects planned in Aliso Canyon.

One water-quality advocate also suggests the acknowledgement of Aliso Creek as habitat for the endangered ocean-going trout should eventually lead to more stringent marine protections along Laguna Beach's coastline.

"Because this is recognized as a corridor for endangered species, it qualifies as a reserve," said Roger Butow, founder of Clean Water Now!, referring to coastline around Aliso Beach that is currently a designated conservation zone, which allows recreational and commercial fishing.

The steelhead's role in stepped up marine protection remains unclear. Even so, the steelhead finding by the U.S. Department of Commerce's National Oceanic and Atmospheric Administration comes on the eve of local public hearings this Saturday, March 21, at Laguna Beach's City Hall over revising local marine protected areas.

The 1 to 4 p.m. workshop allows for public input over plans by state wildlife officials to possibly designate more shoreline for conservation and rehabilitation, which would impose more "no take" zones that bar spear fishing and lobster-trapping fishermen. Most of the town's coastline, which is already designated as a marine protected area, will be up for evaluation. The only local shoreline currently excluded from state protections lies behind the gated communities of Irvine Cove, Emerald Bay and Three Arch Bay.

Whether to maintain existing protections, modify or eliminate them will be considered, said Calla Allison, the city's marine protection officer. Heisler Park is the county's only marine "notake" reserve; the rest of the city's shoreline is a conservation area, which allows recreational and commercial fishing.

Comments from the workshop will be presented to the City Council and to the local South Coast Regional Stakeholder Group, representing the region in the year-long review by the California Fish and Game Commission.

In the meantime, though, officials of the South Coast Water District this week scrambled to respond to the Feb. 20 protest of its water-diversion project by Rodney R. McInnis, regional administrator of the National Marine Fisheries Service, responsible for enforcing the endangered species act.

In his letter, McInnis says the district's application to "appropriate" water fails to acknowledge steelhead in the Aliso watershed or provide an assessment of the potential impact on its habitat.

"NMFS will withdraw this protest if the water right permit contains NMFS approved terms and conditions for the purpose of avoiding take of steelhead and minimizing adverse effects to steelhead habitat," McInnis wrote.

The fish that moves between fresh and saltwater habitats was placed on the endangered species list in 1993 and has been spotted as recently as last year in nearby San Juan and San Mateo Creeks, according to Mary Larson, a senior fisheries biologist for the state Department of Fish and Game. "Why wouldn't they go into a fresh water stream in Orange County?" she asked.

By neglecting to consider a species that's endangered, the water district will likely need to modify their plan to divert water and expand their analysis of the project's impact, Larson said.

The consultant preparing an environmental impact report on the proposed Aliso Creek

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redevelopment by the Athens Group was also made aware of the NMFS finding and will now assess the project's ecological impact on steelhead habitat, said Kathy Lottes, the city's project manager. The draft EIR is due to be completed by July, the assistant city manager said recently.

Butow hopes McInnes' letter will force the water district to conduct a full environmental impact report and undercut the proposed "negative declaration," which allows the agency to skip a full-scale analysis. "I'm ready to drink some champagne," said Butow, who has argued with various agencies for a decade to win recognition of Aliso Creek as steelhead habitat.

In January, the water district sought the approval of the State Water Resources Control Board to divert about one-sixth of Aliso Creek's volume during dry weather for treatment and reuse as irrigation water.

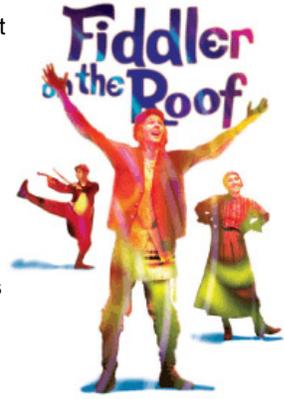
"It wasn't apparent to us steelhead were in the creek," said Linda Homscheid, a spokeswoman for the water district, which held discussions this week with NMFS's Stan Glowacki to address concerns raised in the protest letter.

The project includes mitigation that will ensure the recovery of steelhead, Homscheid said. These include stream monitoring, screens over treatment equipment and limiting the volume of diverted water to 800,000 gallons per day, she said. Today, at its driest, the stream flows with 4.8 million gallons of contaminated urban runoff. Between November and March, naturally occurring water nearly doubles the stream, which gushes across Aliso Beach, the county's second most heavily used.

Adding steelhead to the list of endangered species living in Aliso Creek, which also includes the California pond turtle and the tiny tidewater goby, should not hinder the water district's chances for winning approval, said another local water-quality advocate, Mike Beanan. "This trout thing is a petty squabble between agencies," he said.

More important is public health, said Beanan, who has pressed for a diversion of creek water to reduce ocean pollution. "We want to do something right now," he said.

Reducing creek flows towards historical levels before it was inundated with urban runoff may improve recovery chances for both the goby and steelhead, Beanan said. "If it's good for the goby, it's good for the trout," he said.



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