



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Southwest Region  
777 Sonoma Ave., Room 325  
Santa Rosa, CA 95404-6528

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October 6, 2006

In response refer to:  
151416SWR2006SR00601:WLS

Mike Novo, Interim Director  
Monterey County Planning Department  
168 W. Alisal Street, 2<sup>nd</sup> Floor  
Salinas, California 93901

Dear Mr. Novo:

Thank you for the opportunity to comment on the County of Monterey's Draft Program Environmental Impact Report (DEIR) for the 2006 Monterey County General Plan. NOAA's National Marine Fisheries Service (NMFS) received the August 18, 2006, DEIR on August 28, 2006. Our comments are provided below.

Many rivers, streams, and creeks within Monterey County support Federally-threatened South-Central California Coast (S-CCC) Distinct Population Segment (DPS) steelhead (*Oncorhynchus mykiss*, 71 FR 834). Many of these watercourses have been recently designated as critical habitat for S-CCC steelhead (70 FR 52488). Historical data on the S-CCC steelhead DPS are sparse. In the mid-1960s, California Department of Fish and Game (CDFG [1965]) estimated that the DPS-wide run size was about 17,750 adults. No comparable recent estimate exists at the DPS scale; however, estimates exist for five river systems (Pajaro, Salinas, Carmel, Little Sur, and Big Sur) indicating runs of fewer than 500 adults where previous runs had been on the order of 4,750 adults (CDFG 1965). Although steelhead sub-populations throughout much of Monterey County have declined, the S-CCC Steelhead Recovery Domain Technical Recovery Team has identified the Salinas River system as one of the few populations within the S-CCC steelhead DPS with the potential to support a viable sub-population.

Sub-populations occupying the inland watersheds of the Pajaro and Salinas rivers show a strong pattern of flow-related passage issues as stressors to the populations. This suggests that freshwater migration is typically impaired in this region. Our source analysis suggests there are a variety of factors contributing to this impairment, but most are related to water use in some way. Ground water pumping, surface water diversions, and dams associated with agricultural and urban developments all potentially contribute to reductions in surface flows which can limit upstream migration of adult steelhead and downstream migration of smolts, depending on the time of year. Changes in channel configuration from channelization and gravel mining can also affect surface flows.



NMFS is responsible for the protection of S-CCC steelhead pursuant to the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*) and implementing regulations promulgated thereunder. Section 9 of the ESA and Federal regulation pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined by NMFS as an act which actually kills or injures fish or wildlife. Such an act may include significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering. The prohibition against unauthorized take applies equally to persons engaged in activities that are not intended or designed to take species listed under the ESA, but may do so incidentally. Incidental take can be authorized by NMFS pursuant to section 7 (Federal Interagency Consultation) or section 10 (Habitat Conservation Plan) of the ESA.

NMFS has determined the S-CCC steelhead DPS is suffering a significant decline in overall abundance and productivity, is becoming increasingly fragmented, and that four sub-populations have become or are nearly extirpated. These population trends in conjunction with the large scale anthropogenic influences (*e.g.*, water diversions, the influences of large dams, agricultural practices [including irrigation], urbanization, loss of wetland and riparian losses, roads, grazing, gravel mining, and logging) on habitat condition lead to the conclusion that this DPS continues to decline toward extinction. Further adverse effects to steelhead and their designated critical habitat as a result of water use are of primary concern to NMFS relative to the DEIR.

Page 4.3-1 notes development and land use activities consistent with the 2006 General Plan may or would result in: (1) an increase in private wells in the County and may result in significant well competition and interference impacts, (2) exacerbation of existing saltwater intrusion conditions, (3) exacerbation of existing groundwater decline and overdraft conditions, and (4) erosion and sedimentation that result in significant degradation of water quality.

As stated above, many watercourses within Monterey County have been designated as critical habitat for S-CCC steelhead. However, Table 4.9-2 and Exhibit 4.9-2 of the DEIR do not include designated critical habitat for S-CCC steelhead. The final EIR should include such information. It should also describe how the development and land use activities consistent with the 2006 General Plan as described on page 4.3-1 will affect steelhead and their habitat. If you require assistance in accessing where critical habitat has been designated, please contact NMFS.

NMFS supports the goals and policies as identified in The Conservation and Open Space Element. These include but are not limited to Goal OS-4 (Protect and Conserve the Quality of Coastal, Marine and River Environments), Policy OS-4.1 (Federal and State designated native marine and fresh water plant and animal communities shall be protected), Goal OS-5 (Conserve Designated Critical Habitats for Listed Plant and Animal Species Designated as Federal or State Threatened or Endangered Species and Critical Habitats Designated in Area Plans) and Policy OS-5.3 (Development shall avoid impacts to State and federally listed plants and animal species and their designated critical habitat). However, it is unclear to NMFS how development and land use activities consistent with the 2006 General Plan will comply with these goals and policies.

1-1

1-2

The Agricultural Winery Corridor Plan notes that additional entitlements (e.g., "taking permit" from the U.S. Fish and Wildlife Service and a streambed alteration agreement from CDFG) may be required based on the nature of each individual project. The DEIR does not acknowledge that technical assistance, an incidental take statement or an incidental take permit may be required from NMFS.

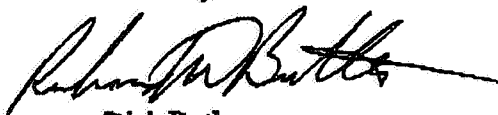
1-3

The DEIR claims there is a need to create a process that encourages the growth of the winery industry. NMFS is concerned about the potential effects of the Agricultural Winery Corridor Plan on steelhead and their habitat. Agricultural activities have had a dramatic effect on water tables and sedimentation delivery on a local scale. Withdrawing groundwater can reduce streamflow and increase water temperature in nearby streams reducing available aquatic habitat. Sediment delivery, from increased erosion, to streams can reduce the quality of remaining aquatic habitat. For new agriculture, NMFS is concerned that local streams will be negatively affected. The magnitude of the effects depends upon the relative amount of withdrawal when compared with local streams and groundwater. NMFS anticipates that future water consumption will continue to have negative effects on aquatic habitat and steelhead populations similar to the impacts described above. The DEIR and the Agricultural Winery Corridor Plan fail to address the relationship between water withdrawal and steelhead and their habitat.

1-4

NMFS recommends Monterey County communicate with NMFS prior to issuing permits or authorizing projects that may affect steelhead and their habitat. Thank you again for the opportunity to comment on the DEIR and we look forward to working with the County in the future. Please contact Mr. Bill Stevens at (707) 575-6066, or via e-mail at [William.Stevens@noaa.gov](mailto:William.Stevens@noaa.gov), if you have any questions concerning these comments.

Sincerely,



Dick Butler  
Santa Rosa Area Office Supervisor  
Protected Resources Division

cc: Russ Strach, NMFS, Sacramento  
David Peretksa, U.S. Fish and Wildlife Service, Ventura  
Robert Floerke, California Department of Fish and Game, Yountville  
Bob Smith, U.S. Army Corps of Engineers, San Francisco