

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
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TO: Board of Directors
Santa Barbara County Water Agency

FROM: Phillip M. Demery
Public Works Director

STAFF CONTACT: Thomas Fayram, Deputy Public Works Director, Ext. 3436
Robert Almy, Water Agency Manager, Ext. 3542

SUBJECT: MEMORANDUM OF UNDERSTANDING AMONG THE
COOPERATIVE MEMBERS OF THE TRI-COUNTY F.I.S.H.
TEAM FOR THE ATTAINMENT OF FEDERAL AND STATE
FUNDING FOR THE RECOVERY OF PACIFIC COAST
SALMON AND STEELHEAD

Recommendation(s):

That the Board of Directors:

Approve the Water Agency's participation in "Memorandum of Understanding among the cooperative members of the Tri-County F.I.S.H. Team for the attainment of federal and state funding for the recovery of Pacific Coast salmon and steelhead" (Exhibit A), and authorize Chair to execute.

Alignment with Board Strategic Plan:

This action would meet Goals I (an efficient government able to anticipate and respond effectively to the needs of the community) and V (A high quality of life for all residents).

Executive Summary and Discussion:

In 1997 the National Marine Fisheries Service (NMFS) listed the anadromous Southern California "Evolutionarily Significant Unit" of steelhead trout as an endangered species under the Federal Endangered Species Act (ESA). Included as potential habitat were all local streams between the Santa Maria River and Malibu Creek below significant barriers to migration (e.g. Santa Ynez River downstream of Bradbury Dam).

From 1993 to present a number of parties, including the County, have participated in the cooperative development and sharing of information in an effort to balance the needs of consumptive water users and the fishery downstream of Bradbury Dam. Pursuant to information

accumulated under studies and research conducted by the parties through previous memoranda of understanding, the Santa Ynez River Technical Advisory Committee (SYRTAC) finalized the Lower Santa Ynez River Fish Management Plan, in October 2, 2000. (The Water Agency has participated in each of the MOUs, including an MOU to implement the plan approved by your Board in April 2001.) Implementation of the plan satisfies the "Section 7 Consultation" done for ongoing operation of Cachuma Reservoir.

The MOU approved by your Board in April 2001 provides that the Water Agency will continue to provide technical support and, through its cooperative program with the United States Geological Survey, maintain a gauging station below Bradbury Dam. In addition, the Agency will consider proposals (in conjunction with the Cachuma Member Units) for expenditure from the \$100,000 provided annually for various "project related purposes" pursuant to the contracts between the Member Units and the Agency executed in 1996.

During discussion of your approval of the April 2001 MOU, your Board recognized the importance of local coordination of fish enhancement projects and the need for regional efforts to secure funding for such projects. The proposed Tri-County F.I.S.H. Team would provide such a framework for such efforts. The purpose of the F.I.S.H. Team is to act as a regional voice to draw state and federal resources to the tri-county area in support of fishery restoration projects, to improve information about restoration activities, and to enhance public understanding of fishery issues. It would not be a regulatory body and would rely in part on the voluntary and cooperative efforts of landowners.

In order to facilitate the restoration and recovery of these species and other species and their habitat, the F.I.S.H. Team will coordinate local restoration efforts at a regional level (the tri-county area). The F.I.S.H. Team understands that restoration will occur at a local level, but that a regional voice will provide weight to funding and assistance requests to support these efforts. The F.I.S.H. Team also recognizes that fishery enhancement projects do not stop at the county lines. To this end, the F.I.S.H. Team will collaborate with the other local, regional, state and federal groups and agencies, as needed to facilitate fishery restoration actions.

Mandates and Service Levels:

The Tri-county F.I.S.H. Team MOU and related Santa Ynez River Fish Management Plan provides a basis for addressing Endangered Species Act mandates (steelhead listing) and public trust issues in local streams.

Fiscal and Facilities Impacts:

Participation on the Tri-county F.I.S.H. team is part of the approved Water Agency work program; thus initial implementation of the MOU would have no fiscal impacts. The process is currently supported by a grant through FY 2002-03. Should grant funds be unavailable after this date, all parties agree to discuss funding the program at that time. The terms of the MOU contemplate funding options and should funds be needed, the Water Agency's share would be limited to approximately \$10,000. As discussed, this funding is discretionary and subject to budget availability at the time.

The Cachuma Conservation and Release Board has agreed to discuss payment of all or some of the Water Agency's share of the administrative costs from the \$100,000 that the Water Agency annually pays for the Cachuma Project. This \$100,000 expenditure is pursuant to contracts between the Cachuma Member Units and the Water Agency (see Exhibit B).

No elements of the MOU would directly affect ongoing or anticipated County programs. However, some County projects may benefit from funding or improved mitigation opportunities that may grow out of the F.I.S.H. Team process.

Special Instructions:

Direct the Clerk of the Board to send two originals of the signed MOU and the minute order to the Flood Control office, attn: Christina Lopez.

Concurrence: County Counsel, Auditor-Controller