State Water Resources Control Board (Board), Cachuma Project Hearing Phase 2, U.S. Bureau of Reclamation Water Rights Permits 11308 and 11310

National Marine Fisheries Service (NMFS) Rebuttal Witness, Mark Capelli, Outline of Testimony

NMFS' Final Recovery Plan for Endangered Southern California Steelhead, Specific Considerations

Qualifications

- NMFS Recovery Coordinator for the South-Central/Southern California Steelhead Recovery Planning Domains (2000 to present).
- Oversaw the development and lead author of the Draft and Final Southern California Steelhead Recovery Plan.
- Curriculum Vitae Attached

Timeline for Development of NMFS' Southern California Steelhead Recovery Plan and the Board's Final Environmental Impact Report (FEIR)

- Board's DEIR (2003)
- NMFS Recovery Planning Background Technical Memoranda (2005-2010)
- Board's RDEIR (July 2007)
- NMFS Federal Recovery Outline for the Distinct Population Segment of Southern California Steelhead (September 2007)
- NMFS Draft Southern California Steelhead Recovery Plan (July 2009)
- Board's 2nd RDEIR (April 2011)
- Board's FEIR (December 2011)
- NMFS Final Southern California Steelhead Recovery Plan (January 2012)

Discrepancies in the FEIR Characterization of the Draft Southern California Steelhead Recovery Steelhead Recovery Plan

- Population Viability Criteria (mean annual run-size, ocean conditions, spawner density, and anadromous fraction): mean annual run-size identified in viability criterion applies to *each* core population not to the Distinct population Segment (DPS) as whole (FEIR 2.0-43).
- DPS-Wide Viability Criteria (Population distribution and number): Santa Ynez River is identified as one of the populations that are necessary to meet the DPS-wide viability criteria essential for recovery and ultimately delisting, not simply a high priority watershed (FEIR 2.0-42).
- Restoring Access to upstream historic habitats: essential for recovery, as well as promote ecological traits. Restoration of access is identified as one of two principal critical recovery actions (FEIR 2.0-44).

Differences in Draft (2009) and Final Southern California Steelhead Recovery Plan (2012) Pertinent to Santa Ynez River Public Trust Issues in FEIR

- Expanded discussion of historic steelhead sport fishing, including archaeological and historic information on the steelhead resources of the Santa Ynez River
- New section on southern California steelhead freshwater life cycle habitat use.
- Changed DPS-Level recovery criteria regarding life-history diversity to specify that the diversity be exhibited and distributed across each Biogeographic Population Group (BPG), not each population.
- Revised and standardized Recovery Actions descriptions, including those for Dams and Surface Water Diversions and critical recovery actions for the Santa Ynez River.

Essential Role of the Santa Ynez River identified in the Final Southern California Steelhead Recovery Plan

- Final Recovery Plan identifies an over-all structure to a recovered Southern California Steelhead DPS, including the number and distribution of recovered steelhead populations within the watersheds, and the biological characteristics of recovered populations.
- The Recovery Planning Area is divided up into five Biogeographic Population Groups (BPG) based on a suite of common physical, hydrological, and biological characteristics.
- The Santa Ynez River is one of the populations which have been identified as a Core 1 population within the Monte Arido Highlands BPG.
- Core 1 populations are those populations which have been identified as the highest intrinsic potential for supporting viable steelhead populations and therefore are a priority for implementation of recovery actions.
- Core 1 populations form the nucleus of the DPS recovery strategy, and must be recovered to the point that they meet the individual population viability criteria before the species can be considered recovered.
- Critical Recovery Actions identified for the Santa Ynez River:

> "Implement operating criteria to ensure the pattern and magnitude of water releases from Bradbury, Gibraltar, and Juncal dams provide the essential habitat functions to support the life history and habitat requirements of adult and juvenile steelhead. Physically modify Bradbury, Gibraltar, Mono, and Juncal dams to allow steelhead natural rates of migration . . . to upstream spawning and rearing habitats, and passage of smolts and kelts downstream to the estuary and ocean. Identify, protect, and where necessary restore estuarine and freshwater rearing habitats."

Summary

- The Final Recovery Plan provides information and guidance relevant to the conservation of the species, and for protecting the public trust interest in the steelhead resources of the Santa Ynez River by providing a recovery strategy to ensure the long-term viability of individual populations and the DPS as whole.

- The Final Southern California Steelhead Recovery Plan provides basic information on the biology and ecology of the species, and identifies the factors leading to the species decline, including systemic threats in individual watersheds such as a the Santa Ynez River.
- Additionally the Final Recovery Plan identifies both DPS-level, and individual steelhead population viability criteria, which when met would ensure that individual populations and the DPS as a whole would be viable, and therefore eligible for delisting.