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News Release



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SERVICE PROPOSES CRITICAL HABITAT FOR TIDEWATER GOBY

The U.S. Fish and Wildlife Service announced today a proposal to designate approximately 10,003 acres of critical habitat for the federally endangered tidewater goby, a small California fish. The critical habitat includes land in portions of Del Norte, Humboldt, Los Angeles, Marin, Mendocino, Monterey, San Luis Obispo, San Mateo, Santa Barbara, Santa Cruz, Sonoma, and Ventura counties in California.

Critical habitat is a term defined in the Endangered Species Act. It identifies geographic areas containing features essential for the conservation of a threatened or endangered species and may require special management considerations or protections.

The tidewater goby inhabits areas that include persistent, shallow, still-to-slow-moving aquatic habitat; sand, silt, or mud that is suitable for the construction of burrows; submerged aquatic vegetation; and the presence of one or more sandbars across the mouth of a lagoon or estuary. In the proposed critical habitat designation, approximately 72 percent of such areas are on state lands. Of the remaining designated lands, 15 percent are privately held, 11 percent are federally-managed, and 2 percent are administered by local agencies.

The Service is excluding the Marine Corps Base Camp Pendleton in San Diego County and Vandenberg Air Force Base in Santa Barbara County from the proposal because these bases have completed Integrated Natural Resource Management Plans that provide conservation benefits to the tidewater goby.

The tidewater goby is a small, grey-brown fish rarely exceeding two inches in length. Male tidewater gobies are nearly transparent with a mottled brownish upper surface. Female tidewater gobies develop darker colors, often black, on the body and dorsal and anal fins. The fish lives approximately one year and occurs in lagoons, estuaries, marshes, and freshwater tributaries along the west coast of California. They are occasionally found in freshwater streams that are up-gradient and tributary to brackish habitats.

The Service is preparing a draft economic analysis of the proposed critical habitat, which will be released for public review and comment at a later date. Copies of the rule can be obtained by downloading the document from the Federal Register Web site or from <http://ventura.fws.gov> under "News Room," by writing to the address above, or by calling 805/644-1766.

Public comments on the proposed rule will be accepted for 60 days—until Jan. 29, 2007. Comments may be mailed to: Field Supervisor, Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, CA 93003, or they can be submitted electronically to: fw8gobypch@fws.gov.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 97-million-acre National Wildlife Refuge System, which encompasses 546 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 Fish and Wildlife Management offices and 81 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

FACTS ABOUT PROPOSED CRITICAL HABITAT FOR THE TIDEWATER GOBY

Background: The tidewater goby is a small, grey-brown fish rarely exceeding two inches in length. Male tidewater gobies are nearly transparent with a mottled brownish upper surface. Female tidewater gobies develop darker colors, often black, on the body and dorsal and anal fins. The tidewater goby is a short-lived species; the lifespan of most individuals is about one year. The spawning activities of tidewater gobies have been observed in every month of the year except December. Reproduction tends to peak in late April or May to July, and can continue into November or December depending on seasonal temperature and rainfall.

The Service listed the tidewater goby as endangered in February 1994 but did not designate critical habitat. In November 2000, the Service designated critical habitat for the goby in Orange and San Diego counties. The Service did not designate critical habitat through the rest of the species' range because the Service had proposed to delist the goby in 1999 in areas where it occurred north of Orange County. In November 2002, the Service withdrew the proposal to delist the species.

In August 2001, Cabrillo Power L.L.C. filed a lawsuit in the Southern District of California, challenging a portion of the November 2000 final rule. In February 2003, the court approved a settlement in which the Service agreed to propose critical habitat for the entire geographic range of the tidewater goby by November 2006 and complete a final critical habitat rule by November 2007. Today's action, published in the *Federal Register*, responds to that agreement.

Q. What habitats does the tidewater goby need?

A. The tidewater goby occurs in lagoons, estuaries, marshes, and freshwater tributaries along the west coast of California. Tidewater gobies are occasionally found in freshwater streams that are up-gradient and tributary to brackish habitats. Tidewater gobies have only been captured in the marine environment on rare occasions. They appear to enter the ocean only when flushed out of lagoons, estuaries, and river mouths by storm events.

The species historically occurred from three miles south of the California-Oregon border to 44 miles north of the United States-Mexico border. The northern-most geographic and historical range of the tidewater goby has not changed over time. The species' southern-most location is currently Cocklebur Canyon in San Diego County. Overall, it is estimated that the tidewater goby occupies less than 5 percent of the California coastline.

The U.S. Fish and Wildlife Service is currently conducting a 5-year status review for the tidewater goby; this review will provide a current assessment of the status of the species.

The 10,003 acres of proposed critical habitat contain habitats that provide for reproduction, foraging, and shelter. The primary elements needed for the gobies' essential biological needs include:

- a) Persistent, shallow, still-to-slow-moving aquatic habitat most commonly ranging in salinity from about 10-12 parts per thousand to less than 0.5 parts per thousand;

- b) Sand, silt, or mud that is suitable for the construction of burrows for reproduction;
- c) Submerged and partially-submerged aquatic vegetation that provides protection from predators; and,
- d) Presence of one or more sandbars across the mouth of a lagoon or estuary during the spring and summer that closes or partially closes the lagoon or estuary, thereby providing relatively stable conditions.

Q. What are the threats to the species?

- Coastal development projects that result in the loss or alteration of coastal wetland habitat. The species has lost a significant portion of its habitat during the past 150 years to coastal development.
- Water diversions and alterations of water flows upstream of coastal lagoons and estuaries that negatively impact the species' breeding and foraging activities.
- Groundwater overdrafting.
- Channelization of the rivers where the species occurs.
- Discharge of agricultural and sewage effluents.
- Cattle grazing and feral pig activity that results in increased sedimentation of coastal lagoons and riparian habitats, removal of vegetative cover, increased ambient water temperatures, and elimination of plunge pools and collapsed undercut banks used by tidewater gobies.
- Introduced species that prey on the tidewater goby (e.g., bass) and crayfish.
- Drought conditions that result in the deterioration of coastal and riparian habitats.
- Competition with introduced species such as the yellowfin goby and chameleon goby.

Q. What is critical habitat?

A. Critical habitat is a term in the Endangered Species Act (ESA). It identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and may require special management considerations or protection.

Q. Does critical habitat create preserves or provide species with more protection?

A. No. A critical habitat designation does not affect land ownership or establish a refuge, wilderness, reserve, preserve or other conservation area. It does not allow government or public access to private lands and will not result in closure of the area to all access or use. However, listed species, including the tidewater goby, and their habitats are protected by the ESA regardless of whether they are in an area designated as critical habitat or not.

Q. What protection does the tidewater goby currently receive as a listed species?

A. The ESA forbids the import, export, or interstate or foreign sale of protected animals and plants without a special permit. It also prohibits the "take" of listed species. "Take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct.

Federal agencies must consult with the Service to insure that projects they authorize, fund, or carry out are not likely to jeopardize the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of designated critical habitat.

Permits may be issued by the Service for activities that are otherwise prohibited under the ESA, if these activities are for scientific purposes or to enhance the propagation or survival of the affected species, or for "take" that is incidental to otherwise lawful activities.

Q. Who owns the property proposed as critical habitat for the tidewater goby?

A. Of this area, most of the acreage—72 percent—is on State lands. Of the remaining land, 15 percent is privately held, 11 percent is managed by federal agencies, and two percent is administered by local agencies.

Q. What is being done to save the tidewater goby?

A. A recovery plan for the species was finalized in 2005. The recovery plan is available at the Service's Ventura Fish and Wildlife Office web site at <http://ventura.fws.gov> under "News Room." A recovery plan is an advisory document, so cooperation from private property owners and other stakeholders is voluntary. But that cooperation is critical to achieving success.

Recommended actions necessary for recovery of the tidewater goby include:

- Protecting and enhancing the gobies' current habitat;
- Preventing further losses of tidewater goby habitat and reducing or stabilizing exotic fish species that either feed on or compete with the tidewater goby;
- Conducting research to integrate land use practices – such as those that affect a stream's channel or increase sedimentation – with tidewater goby recovery; and,
- Evaluating the possibility of relocating tidewater gobies to establish new populations.

Q. How can I submit comments on the proposal?

Comments and materials must be submitted by Jan. 29, 2007, and may be submitted by any of several methods.

- Submit written comments and information to the Field Supervisor, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B; Ventura, CA 93003.
- Hand deliver comments to the Ventura Fish and Wildlife Office at the address above. Submit comments by electronic mail to fw8gobypch@fws.gov.