



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

February 12, 2010

In reply refer to:
SWR/2010/00233:MRM

David Foote
c/o firma
1034 Mill Street
San Luis Obispo, California 93401

Dear Mr. Foote:

NOAA's National Marine Fisheries Service (NMFS) reviewed the January 13, 2010, Notice of Intent (NOI) to adopt a Negative Declaration (ND) for the Cambria Community Services District's (CCSD) proposed geotechnical and hydrogeologic study (Study) at Santa Rosa Creek Beach near Cambria, California. NMFS is the federal agency authorized by the U.S. Endangered Species Act (ESA) to regulate activities affecting threatened and endangered steelhead. The Study is of concern to NMFS because threatened steelhead (*Oncorhynchus mykiss*) and critical habitat for this species are present within the action area. As requested in the NOI, NMFS provides the following comments on the ND that are relevant to steelhead and critical habitat for this species:

As a general comment, there are some specific pieces of information that are either unclear or missing from the ND, and which make it difficult for NMFS to fully understand the manner in which the proposed action may affect steelhead and critical habitat. In order for NMFS to better assess effects of the project on steelhead, NMFS requests that CCSD provide following information:

- In addition to the potential duration (up to 72 hours) of pumping at the well sites, also include the maximum rate that pumping could occur during that time.
- Provide a specific schedule outlining when pumping would occur. If a specific schedule is unknown, clarify if the pumping is expected to occur anytime throughout the year or if there are specific seasons or months that pumping may occur.
- NMFS understands that the project will try to minimize effects to steelhead by not pumping in wells that could influence lagoon levels if the rate of pumping would exceed the rate of flow entering the lagoon. However, during certain times of the year, maintaining connectivity and flow to the ocean is also critical for adult migration into and out of the Santa Rosa Creek as well as smolt out-migration. CCSD needs to ensure, that in addition to maintaining lagoon levels, pumping would not reduce connectivity and

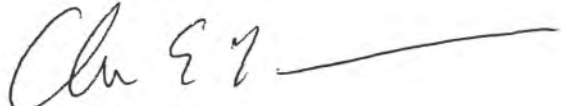


migration opportunities of adult steelhead or smolts. Migration concerns could be further minimized by avoiding pumping operations during November to June.

- Provide timing and location of well construction. If there is a potential for construction to occur when the mouth of Santa Rosa Creek is flowing to the ocean, NMFS would be interested in the measures CCSD will take to ensure vehicles do not pass through flowing water. If well construction is to take place between late fall and spring, be aware that the location of creek mouths may change after storm events.
- Provide greater details on what happens with the water that is pumped out of the wells (i.e., is it stored, tested, disposed of, returned to the creek?).
- The ND should describe whether this Study is part of the implementation of a larger project or if it is strictly for the purpose of preliminary information gathering.
- The ND should also clarify whether consultation with NMFS under Section 7 or permitting through Section 10 of the ESA is expected later during the overall permitting process. If consultation under the ESA will occur, the information outlined in these comments will be critical to include at the earliest opportunity.

NMFS appreciates the opportunity to provide comments on the ND for the subject project. Matt McGoogan is NMFS' representative for this specific project. Please call him at (562) 980-4026 if you have any questions concerning this letter or if you require additional information.

Sincerely,

for 
Rodney R. McInnis
Regional Administrator

cc: Margaret Paul, CDFG, San Luis Obispo, California
Roger Root, USFWS, Ventura, California
Matthew Vandersande, Corps, Ventura California
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