



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
PAS 702.750.5025

RECEIVED March 7, 2006

MAR 20 2006

City of Morro Bay
Public Services Department

Bruce Keogh, Wastewater Division Manager
City of Morro Bay -- Public Services
955 Shasta Avenue
Morro Bay, California 93442

Subject: Morro Bay-Cayucos Wastewater Treatment Plant NPDES Permit Renewal Application

Dear Mr Keogh:

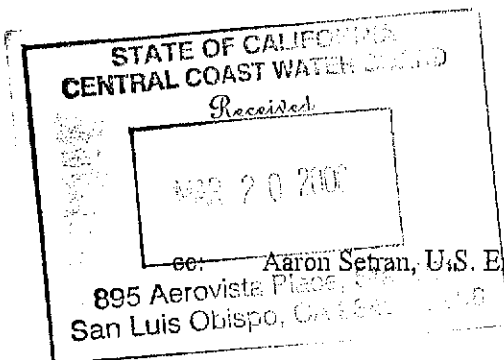
We have reviewed your letter dated February 15, 2006, and received on February 17, 2006, requesting our determination whether the discharge of the Morro Bay-Cayucos Wastewater Treatment Plant will adversely affect threatened or endangered species. The Morro Bay-Cayucos Wastewater Treatment plant has applied to the Environmental Protection Agency (EPA) to renew its National Pollution Discharge Elimination System Permit. You stated that the EPA requires applicants to obtain a determination from the responsible regulatory agency whether the discharge will adversely affect threatened or endangered species.

The EPA, as the lead Federal agency that would authorize or permit the action or have discretionary Federal control over the action, has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the EPA determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.* (Act)). Informal discussions may be used to exchange information and resolve conflicts with respect to threatened or endangered species or their critical habitat prior to a written request for formal consultation. During this review process, the EPA may engage in planning efforts but may not make any irreversible authorization or commitment of resources. Such an authorization or commitment could constitute a violation of section 7(d) of the Act.

If you have any questions regarding this matter, please contact Chris Kofron of my staff at (805) 444-1766 extension 303.

Sincerely,

Steve Henry
Assistant Field Supervisor
San Luis Obispo/Northern Santa Barbara



Item 6, Attachment 1
May 11-12, 2006 Meeting
Morro Bay/Cayucos WWTP