



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Region
South-Central California Area Office
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Fresno, California 93721-1813

IN REPLY REFER TO:

SCC-100
2.2.4.22



MAY 28 2019

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100
Email: Jeanine.Townsend@waterboards.ca.gov

Subject: Comments of the Bureau of Reclamation on Draft Order Dated March 27, 2019
Amending Permits 11308 and 11310 Held by the United States Bureau of Reclamation
for the Cachuma Project (Revised Draft Order), Santa Ynez River, Santa Barbara
County, California

Dear Ms. Townsend:

The Bureau of Reclamation (Reclamation) appreciates the opportunity to provide comments on the State Water Resources Control Board's (State Board) March 27, 2019 Draft Order Amending Permits 11308 and 11310 for the Cachuma Project (Revised Draft Order). Reclamation requests that the State Board ultimately issue a final Order that is consistent with Reclamation's authority under federal Reclamation laws, and which is consistent with Congressional approvals for construction of the Cachuma Project. For these reasons, Reclamation joins the Cachuma Conservation Release Board (CCRB) in its request that the State Board decline to adopt the current Revised Draft Order as its final Order.

To the extent possible and in the time allowed Reclamation has coordinated with the CCRB which represents the City of Santa Barbara, the Goleta Water District, and the Montecito Water District. Reclamation joins in many of their comments and has found none to which we are averse.

Reclamation's review of the Revised Draft Order reveals that its December 9, 2016 comments on the State Board's September 7, 2016 Draft Order were not fully addressed. Therefore, Reclamation incorporates its previously submitted comments on the 2016 Draft Order by reference as if fully set forth herein. Below are Reclamation's additional comments on the Revised Draft Order. All references to page numbers are to the March 27, 2019 redline/strikeout version of the Revised Draft Order.

Reclamation's comments address the following summarized issues with the Revised Draft Order:

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- Actions contrary to the Congressionally authorized purposes of the Cachuma Project, including re-purposing of the Project and recalculation of Project yield;
- Requirement for a feasibility study for fish passage above Bradbury Dam that exceeds Reclamation's authority under federal law;
- Errors in characterizing the record (including a 1997 Forest Service study) on the number of miles of habitat made available by passage above Bradbury Dam;
- Lack of analysis supporting need for increased instream flows downstream of Bradbury Dam;
- Requirement for unnecessary revisions to Reclamation's contract with Santa Barbara County Water Agency (SBCWA);
- Proposing to have the Executive Director unilaterally reduce the amount of water Reclamation can divert under its permits contrary to the requirements of the California Water Code;
- The need to update CEQA to reflect new conditions in the watershed, including (but not limited to) wildfires, a new drought of record, and climate change;
- Mischaracterization of the standard for "Jeopardy" under ESA;
- Confusing use of the terms "fish" and "fisheries"; and
- The need to alter or delete various Terms in the Revised Draft Order.

We believe a number of the measures in the Revised Draft Order far exceed the "cooperative federalism" embedded in Section 8 of the Reclamation Act of 1902 and are hopeful that the State Board can re-focus its efforts on stakeholder accomplishments toward benefiting steelhead, without being diverted by these more extreme measures. In addition, Reclamation will soon be submitting a biological assessment to the National Marine Fisheries Service (NMFS) this summer, which if implemented will provide a range of flow and non-flow measures for the benefit of steelhead populations below Bradbury Dam.

Authorized Project Purposes

Construction of the Cachuma Project was authorized by Congress in 1948 to supply water for the irrigation of lands and for municipal use in the south coast areas of Santa Barbara County. Documents available to Congress at that time discussed the Project's impacts on fish and acknowledged that the Project would block access for steelhead above Bradbury Dam. In

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addition, despite recommendations by the Fish and Wildlife Service to include fish releases, Reclamation determined that such releases would be inconsistent with the water supply purpose of the Project, and Congress ultimately authorized the Project absent authorizing any purposes or requirements for fish and wildlife. H.R. Doc. 587 at 38-39. Congress authorized construction of the Cachuma Project with the understanding that it would create an estimated 33,000 acre-feet of dependable new water supplies for irrigation, domestic and municipal use. H.R. Doc. 587 at 33.

Term 1 of the State Board's Revised Draft Order includes Fish and Wildlife Conservation as a purpose of use for the water diverted by the Cachuma Project. This appears to protect releases made for fish and wildlife purposes under Reclamation's permits. However, it should be noted that changing the authorized purposes of use of water under Reclamation's water rights does not change the congressionally authorized purposes for the Cachuma Project facilities. Congress would have to reauthorize or amend the Cachuma Project to include Fish and Wildlife Conservation as a Project purpose before Reclamation could expend its appropriations on new infrastructure for that purpose.

Reclamation Feasibility Studies

Term 24 of the Revised Draft Order requires Reclamation to study the feasibility of providing passage for fish above Bradbury Dam. However, Reclamation cannot undertake a feasibility study for fish passage above Bradbury Dam without specific authorization from Congress. Under 16 U.S.C. § 4601-19, Congress states:

Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding.

Reclamation lacks general administrative construction authority (particularly with regard to the expenditure of federal appropriations), including the authority to undertake feasibility-level studies absent specific authorization from Congress. Further, given the legislative history of the Cachuma Project, absent express Congressional authorization, or a re-authorization of the Project for additional purposes, it is questionable whether Reclamation even has authority to conduct such a study with unappropriated, non-reimbursable funds. We are not aware of any legal precedent which allows the State Board to reauthorize federal Reclamation projects or studies through water right terms and conditions which supersede the normal processes under the federal Reclamation laws.

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It should also be noted that Reclamation cannot ask Congress for authorization of this study (*see* 18 U.S.C. §1913 – no money appropriated by Congress shall be used in an attempt to influence a Member of Congress); persons or entities outside of Reclamation must make this request.

Available Fish Habitat Above Bradbury Dam

Reclamation asserts that the Congressional history for the Cachuma Project is definitive on this subject. In the face of this history, and without waiving its objection to any consideration of or requirement for fish passage above Bradbury Dam in the Revised Draft Order, Reclamation notes that the Revised Draft Order over-states the case for habitat made available via passage above Bradbury Dam.

The Revised Draft Order states:

The mainstem Santa Ynez River and its tributaries upstream of Bradbury Dam provide significantly more potential spawning and rearing habitat for steelhead than is available downstream of the dam. At the hearing, NMFS presented evidence that 29 percent of the potential steelhead spawning, and rearing habitat is downstream of Bradbury Dam and 71 percent is available upstream. Specifically, there are 43 miles of habitat in the mainstem river upstream of Bradbury Dam and 248 miles in upstream tributaries. (pp. 49-50, 59)

There are several errors in this statement. First, the “Stream Mileage” legend on NOAA’s “Santa Ynez River Watershed” map (NOAA Exhibit 7.a for the 2003 Phase 2 Hearing) notes that the 43 miles of mainstem habitat is also counted in the 248 miles of “Stream Distance of Selected Tributaries.” Thus, the correct number of upstream tributary miles based upon the exhibit of record, would be 205 miles.

Further, of the stated 43 miles of Santa Ynez River mainstem habitat above Bradbury Dam, only 24 miles are potentially available in the mainstem with passage above Bradbury Dam as there are other existing impassible barriers on the Santa Ynez mainstem above Bradbury Dam. By omitting that fact, the Revised Draft Order infers that 205 miles of upstream tributaries would be made available with passage above Bradbury Dam alone. This is incorrect. Passage above Bradbury Dam would only make a fraction of the upper watershed available for fish passage. In addition, the evidence on the record is contradictory on whether the reservoir or the 24 miles of stream above Bradbury Dam is suitable habitat for steelhead.

In addition, page 59 of the Revised Draft Order also states:

The United States Forest Service (U.S. Forest Service) evaluated habitat conditions above Bradbury Dam and concluded that with passage for steelhead over Bradbury Dam, the Santa Ynez River could support a steelhead run of 1,800 to 4,000 adult steelhead. (CT-12, p.9.)

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Exhibit CT-12 is entitled “1997 U.S. Forest Service Santa Ynez Steelhead Restoration Feasibility Study.”¹ Page 9 of this study states:

Projecting fry densities across the potential fish producing reaches within the Santa Ynez River basin, Forest lands would yield roughly 92,000 juvenile trout on the whole or equivalent smolts to support an adult steelhead run of approximately 1,800 (Table 1). A similar but higher estimate of potential steelhead production (4,000 adult spawners) can be derived from the quantity and quality of spawning habitat which could be made accessible to spawning within the Forest Service System lands.

Page 9 of this study further states:

Projected spawning capacities reinforces the premise that Blue Canyon, Santa Cruz and Alder Creeks are the prime potential steelhead smolt producers. Because of extensive and/or high quality available habitat, Mono/Indian Creeks, Devil’s Canyon, and the lower mainstem Santa Ynez emerge as additional contenders as major production areas. (Figure 1).

The referenced Table 1 of Exhibit CT-12 shows that Blue Canyon, Alder, and Mono/Indian Creeks are located above another dam that is upstream of Bradbury Dam on the Santa Ynez River; and page 15 of this study states that these numbers of steelhead adults might be possible with passage above all impassible barriers on the Santa Ynez River mainstem - not with passage for steelhead over or around Bradbury Dam alone.

The Forest Service study concludes that passage above Bradbury Dam could result in a possible gain of hundreds of steelhead adults via Cachuma and Santa Cruz Creeks (p. 14), and the upper Santa Ynez River mainstem above Cachuma and Devil’s Canyon Creek (p. 14-15). However, habitat conditions, including the possibility of passage in the mainstem Santa Ynez River to tributaries such as Devil’s Canyon Creek, is dependent upon other factors in addition to providing passage above Bradbury Dam. And though passage above Bradbury Dam may provide access to Cachuma and Santa Cruz Creeks, additional passage impediments may exist on those tributaries. For example, a 2003 draft report by the California Department of Fish and Game (now Fish and Wildlife) states that “Steelhead could not access the Santa Cruz Creek tributary, Peach Tree Creek, because of impassable waterfalls on Santa Cruz Creek.” (NOAA Exhibit 10, at 13 of 14, page 260).

These serious errors need to be reconsidered by the State Board before it issues a final Order.

As for Term 24 study requirements as a whole, Reclamation expects the State Board to consider that: 1) steelhead passage above Bradbury Dam alone will only provide access to a limited

¹ Reclamation’s discussion of the 1997 Study should not be construed as agreement with the analysis and conclusions of the study.

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number of miles of additional suitable habitat; 2) the factors impacting steelhead production on the Santa Ynez River (including, but not limited to land uses, natural and human-made passage barriers, water flows and timing, water temperatures, predation, sedimentation changes on the mainstem due to upstream storage, and nutrient changes on the mainstem due to upstream storage), are not solely attributable to Bradbury Dam; and 3) as indicated above, we are not aware of any legal precedent which authorizes or allows the State Board to direct implementation of Reclamation or studies [through water right terms and conditions] which supersede the normal processes under the federal Reclamation laws.

Expectations for Adult Steelhead Numerical Response in Relation to Increased Flows

Increased flows implemented under the 2000 BiOp were expected to increase steelhead production by increasing mainstem spawning and rearing habitat. The water releases from Bradbury Dam proposed under the Revised Draft Order presumably have a similar objective - assisting the Santa Ynez River steelhead population to ensure it is in good condition. However, given the results documented since 2000, flow increases need to be combined with operations less conducive to the proliferation of non-native predatory species such as largemouth bass and smallmouth bass.

As noted on page 66 of the Revised Draft Order, Dr. Trush stated that “More smolts and larger smolts are needed to produce more adults, but there is no reasonable basis to expect this to occur under the provisions of the 2000 BiOp given the outcomes from the last ten (10) years.” The record shows that the Revised Draft Order’s argument, that an increase in steelhead production would be expected with the new flows, is poorly supported. Again, given that the observed number of adult steelhead returns recorded under the increased 2000 BiOp flows was orders of magnitude less than the adult returns indicated as necessary for recovery, no flow/steelhead production linkage can be supported in this case.

Reclamation is already addressing flow and non-flow measures under its reconsultation with NMFS, and recommends that the State Board take this into consideration.

Contract Modification

Term 34 of the Revised Draft Order requires Reclamation to revise its contract with SBCWA to require the Member Units (the City of Santa Barbara; Goleta Water District; Montecito Water District; Carpinteria Valley Water District; and the Santa Ynez River Water Conservation District, Improvement District No. 1) to implement the water demand management measures identified as part of the urban water shortage contingency analyses contained in their urban water management plans. Term 34 is troublesome for several reasons, including its target to interfere with federal contracts conducted pursuant to federal Reclamation laws. In addition, Reclamation negotiates its contracts in good faith with the parties that are signing the contract and/or have a

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clear responsibility to implement the contract terms and conditions. The State Board is neither a negotiator, signatory, nor responsible for contract performance implementation.

However, we believe resolution of this issue is simple. This requirement is unnecessary, as Reclamation's water service contracts already require parties receiving water from a Reclamation project to implement water conservation measures. All Reclamation contracts for the delivery of water contain the following or very similar standard article:

Prior to the delivery of water provided from or conveyed through federally constructed or federally financed facilities pursuant to this contract, the Contractor shall develop a water conservation plan, as required by subsection 210(b) of the Reclamation Reform Act of 1982 and 43 C.F.R. 427.1 (Water Conservation Rules and Regulations).

SBCWA has complied with this requirement by adoption of an urban water management plan, which includes "demand management measures identified as part of the urban water shortage contingency analyses (Revised Draft Order at p. 118)." All but one of the Member Units are bound by this requirement and have also implemented urban water management plans (Santa Ynez River Water Conservation District, Improvement District No. 1 is an agricultural supplier, and reports implementation of agricultural best management practices to SBCWA). Therefore, "(it is) not ... necessary to amend Reclamation's current contract with SBCWA, which already requires implementation of conservation plans" (Revised Draft Order at p. 119).

At the end of Term 34, the Revised Draft Order states that it authorizes the Executive Director to amend Reclamation's Cachuma Project permits "to achieve water use reductions comparable to the Member Units' water demand management measures ...". The legal basis for such statement is questionable. Reducing the amount of water Reclamation can divert under its permits, untethered to any biological demand or non-use would be dubious. Such an action would, in addition to resulting in violations of numerous provisions of the California Water Code, make the water available for new appropriations and would not likely achieve a reduction in use of previously stored water under federal Reclamation contracts.

For the above reasons, Reclamation believes that Term 34 should be deleted in its entirety, along with the last sentence in Term 12 which refers to Term 34.

Update of CEQA Documentation

Reclamation joins with CCRB's point that the State Board is relying on outdated evidence which does not reflect the current condition of steelhead in the Santa Ynez River watershed.

The following new information and changes in circumstance include, but are not limited to:

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- Reclamation’s consultation with NMFS. A biological assessment is scheduled to be submitted this summer which will accomplish a range of flow and non-flow measures for the benefit of steelhead populations below Bradbury Dam;
- The recent drought of record;
- Fires including the Thomas Fire, considered at the time to be the largest in California history, which have had a dramatic negative effect on the watershed;
- Modeling period used to determine effects of water shortages;
- Post 2011 completed tributary fish passage improvement projects;
- The effects of climate change; and
- Fish habitat conditions in the lagoon at the mouth of the Santa Ynez River.

Each of these factors require the State Board to engage in further environmental review under CEQA before it may adopt a final Order.

Misapplied Use of Words and Concepts

The Revised Draft Order uses “fish” and “fishery” interchangeably, which is confusing. In general, fish is an aquatic animal; fishery (or fisheries) relates to an activity.

Pages 67 and 68 of the Revised Draft Order indicate that the threshold for “jeopardy” is at the population level, rather than the species level. This is a mischaracterization of the standard for “jeopardy” under ESA. The standard for “jeopardy” is central to the *species* (which includes an Environmentally Significant Unit or Distinct Population Segment (DPS) Southern California Steelhead DPS, rather than a *single population* (e.g., steelhead below Bradbury Dam) within the DPS. The statement on page 68, “...it is uncertain whether the Cachuma Project will cause jeopardy to the steelhead below Bradbury Dam...”, as stated in the Revised Draft Order is incorrect.

Deletion and/or Modification of Additional Terms

Reclamation reiterates its position that the State Board not adopt the Revised Draft Order. In addition, Reclamation believes any future Revised Draft Order should include at a minimum the following changes: The deletion in entirety of Terms 14, 16(e), and 35, and the modification of Term 17(5). Note: Deletion of Term 34 has previously been discussed. Term 14 of the Revised Draft Order states:

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No water shall be diverted or used under this right for commercial and applicable personal medical use cannabis cultivation unless the water right holder is in compliance with all applicable conditions, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation.

Reclamation believes this Term should be deleted in its entirety since Reclamation is prohibited by federal law from delivering water for cannabis cultivation, and this term implies Reclamation can do so if State Board's Cannabis policy is met.

Term 16(e) requires Reclamation to recalculate the safe yield of the Cachuma Project. As discussed above, Congress authorized the construction of the Cachuma Project based on its understanding that the Project would supply approximately 33,000 acre-feet of new water for irrigation and municipal use. Reclamation believes this term should be deleted, as nothing in the water rights permitting process authorizes the State Board to require Reclamation to recalculate the yield of the Cachuma Project.

Term 17(5) of the Revised Draft Order states:

In addition to the regular ongoing meetings, right holder shall hold an annual meeting with CDFW and NMFS during each year that studies described in this Order are being conducted. The annual meeting will be held in July, unless a different date is mutually agreed upon in writing. At the annual meeting, right holder must present data collected in the previous year and report progress on each study identified in the approved study plan and compliance with this Order. (Emphasis added.)

Reclamation believes requirements in this paragraph to be overly intrusive and prescriptive regarding the manner and timing in which Reclamation conducts business and shares information with other parties. Provided Reclamation has the authority and sufficient appropriations to conduct such studies, Reclamation will then make the information available and would be happy to answer any questions California Department of Fish and Wildlife (CDFW) or NMFS may have.

Term 35 of the Revised Draft Order states:

Right holder shall submit annual status reports to the Deputy Director describing efforts to make new water supplies and conserved water available to the Member Units. The report shall include, but need not be limited to, right holder's and the Member Units' activities. The report shall include, but need not be limited to, an update on the operational status and capacity of the City of Santa Barbara's desalination plant and the operational status of any other desalination, recycled water, transfers, demand management, reservoir surcharging, or other new Right holder shall submit annual status

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reports to the Deputy Director describing efforts to make new water supplies and conserved water available to the Member Units. The report shall include, but need not be limited to, right holder's and the Member Units' activities. The report shall include, but need not be limited to, an update on the operational status and capacity of the City of Santa Barbara's desalination plant and the operational status of any other desalination, recycled water, transfers, demand management, reservoir surcharging, or other new sources of supply for the Member Units that may be proposed in the future. Nothing in this Order shall be construed as an approval or endorsement of any water supply project or source of supply. The Deputy Director may modify this term's water conservation reporting requirements for consistency with water conservation reporting requirements adopted pursuant to a regulation or informational order issued pursuant to section 10609.28 of the Water Code.

Reclamation believes this Term should be deleted, as it shifts the requirement to come up with mitigation measures for impacts to water supply caused by the increase in instream flows in the Revised Draft Order from the State Board to Reclamation. CEQA requires the State Board to develop mitigation measures.

Availability of Appropriated Funds

The following Terms require Reclamation to perform studies: 19, 20, 21, and 24. All Reclamation activities including, but not limited to, these studies will require both congressional authority to conduct and expend appropriations made available to Reclamation. See 31 USC §1341 (the Antideficiency Act). Reclamation requests the following sentence be added to each of these Terms:

Performance of this study (these studies) is (are) contingent on the availability of sufficient appropriated funds to right holder.

Conclusion

For the above reasons, Reclamation joins the CCRB in its request that the State Board decline to adopt the current Revised Draft Order as its final Order.

As a final point, Reclamation is aware that the State Board received a letter dated April 11, 2019 from the United States Department of Agriculture Forest Service (USFS) – Los Padres National Forest (LPNF) regarding the “Cachuma Project Revised Draft Order” and fish passage around Bradbury Dam (LPNF Letter). However, it appears neither USFS or LPNF have ever participated in this proceeding until now, nor was the letter properly served on the parties included in the service list for this proceeding. Since neither USFS or LPNF has previously been a part of this process, and this letter was neither timely or properly served, Reclamation would

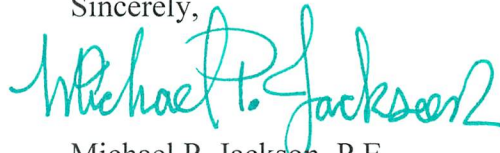
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deem it inappropriate for the State Board to consider the LPNF Letter either formally or informally in its decision-making process.

Reclamation appreciates the opportunity to provide comments on the Revised Draft Order. Please contact me at 559-262-0300 or via email at mjackson@usbr.gov should you have any questions.

Sincerely,



Michael P. Jackson, P.E.
Area Manager

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Cachuma Project Evidentiary Hearing

UPDATED SERVICE LIST

(March 26, 2019)

Corrected for typographical errors

The parties whose email addresses are listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.

<p>Cachuma Conservation Release Board Mr. Kevin O'Brien Downey Brand LLP 621 Capitol Mall, Floor 18 Sacramento, CA 95814 kobrien@downeybrand.com nbigley@downeybrand.com pcantle@ccrb-board.org</p> <p><i>updated 02/25/2019</i></p>	<p>City of Solvang Mr. Christopher L. Campbell Baker, Manock & Jensen 5260 N. Palm Avenue, Suite 421 Fresno, CA 93704 ccampbell@bakermanock.com</p> <p><i>updated 07/29/2011</i></p>
<p>Santa Ynez River Water Conservation District, Improvement District No. 1 Mr. Paeter Garcia 3622 Sagunto St. Santa Ynez, CA 93460 pgarcia@syrwd.org</p> <p>Mr. Steve M. Anderson Best Best & Krieger LLP 3390 University Avenue, 5th Floor Riverside, CA 92501 steve.anderson@bbklaw.com</p> <p><i>updated 03/09/2018</i></p>	<p>City of Lompoc Mr. Nicholas A. Jacobs Somach, Simmons & Dunn 500 Capitol Mall Suite 1000 Sacramento CA 95814 njacobs@somachlaw.com</p> <p><i>updated 01/06/2014</i></p>
<p>Santa Ynez River Water Conservation District Mr. Steven M. Torigiani Law Offices of Young Wooldridge, LLP 1800 30th Street, 4th Floor Bakersfield, CA 93301 storigiani@youngwooldridge.com</p> <p><i>updated 02/26/19</i></p>	<p>California Trout, Inc. Ms. Linda Krop Ms. Maggie Hall Ms. Tara Messing Environmental Defense Center 906 Garden Street Santa Barbara, CA 93101 lkrop@environmentaldefensecenter.org mhall@environmentaldefensecenter.org tmessing@environmentaldefensecenter.org</p> <p><i>updated 03/08/2018</i></p>

Cachuma Project Evidentiary Hearing

UPDATED SERVICE LIST

(March 26, 2019)

Corrected for typographical errors

The parties whose email addresses are listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.

<p>County of Santa Barbara Mr. Michael C. Ghizzoni, County Counsel Ms. Johannah Hartley, Deputy 105 E. Anapamu Street Santa Barbara, CA 93101 jhartley@co.santa-barbara.ca.us</p> <p><i>updated 03/09/2018</i></p>	<p>U.S Bureau of Reclamation Ms. Amy Aufdemberge 2800 Cottage Way, Room E-1712 Sacramento, CA 95825 Fax (916) 978-5694 AMY.AUFDEMBERGE@sol.doi.gov</p> <p><i>updated 08/12/16</i></p>
<p>California Department of Fish and Wildlife Ms. Nancee Murray Senior Staff Counsel 1416 Ninth Street, 12th Floor Sacramento, CA 95814 Nancee.Murray@wildlife.ca.gov</p> <p><i>updated 08/15/2016</i></p>	<p>Bureau of Reclamation, Mid-Pacific Region Mr. Michael Jackson Area Manager South-Central California Area Office 1243 N Street Fresno, CA 93721-1813 mjackson@usbr.gov</p>
<p>Montecito Water District Mr. Robert E. Donlan Ellison, Schneider & Harris L.L.P. 2600 Capitol Avenue, Suite 400 Sacramento, CA 95816 red@eslawfirm.com</p>	<p>Santa Barbara County CEO's Office Ms. Terri Maus-Nisich, Assistant CEO 105 E. Anapuma Street, 4th Floor Santa Barbara, CA 93101 tmaus@co.santa-barbara.ca.us</p> <p><i>updated 09/07/2016</i></p>

The parties listed below did not agree to accept electronic service, pursuant to the rules specified by this hearing notice.

<p>NOAA Office of General Counsel Southwest Region Mr. Dan Hytrek 501 West Ocean Blvd., Suite 4470 Long Beach, CA 90802-4213 Dan.Hytrek@noaa.gov</p> <p><i>updated 05/13/2011</i></p>	
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