



U.S. Fish & Wildlife Service
 Sacramento Fish and Wildlife Office
 2800 Cottage Way, Room W-2605
 Sacramento, California 95825



National Oceanic and Atmospheric
 Administration
 National Marine Fisheries Service
 Southwest Region
 777 Sonoma Ave., Room 325
 Santa Rosa, California 95404-6528



California Department of Fish &
 Game
 P.O. Box 47
 Yountville, California 94599

In reply refer to:
 1-1-07-TA-0839 (FWS)
 151416SWR2007SR00119 (NMFS)

April 6, 2007

Mr. Gary Rudholm
 Planning Office
 Department of Planning and Development
 County Government Center, East Wing, 7th Floor
 70 West Hedding Street
 San Jose, California 95110-9198

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Subject: Use Permit for a Proposed Gravel Quarry at 890 and 9170 Watsonville Road in
 the County of Santa Clara County, California (SC file ~~321~~-66-22-07P)

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Dear Mr. Rudholm:

NOAA's National Marine Fisheries Service (NMFS), California Department of Fish and Game (CDFG), and the U. S. Fish and Wildlife Service (Service) thank you for the opportunity to provide comments on the March 2, 2007, County of Santa Clara's Interim Project Referral Letter (File No. 3237-66-22-07P 07EIR Use Permit) for the proposed sand and gravel mining action by Bella Creek, LLC., Sand and Gravel. On March 20, 2007, the County of Santa Clara advised the Service that our comments would be accepted until April 6, 2007. The County of Santa Clara is the lead agency for review of this action, pursuant to the California Environmental Quality Act (CEQA), and pursuant to Section 15082 (CCR) of the State Environmental Impact Report (EIR) guidelines. This letter is issued under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 *et seq.*) (Act), the Service's Mitigation Policy of 1956, the California Endangered Species Act (California Fish and Game Code §§ 2050-2097) (CESA), and the CEQA (California Public Resources Code § 15000 *et seq.*). Our comments and recommendations are provided to assist you in your environmental review of the project and are not intended to preclude future comments from NMFS, CDFG, and the Service.

