

Central Coast Forest Association

Protecting our land and our rights

P.O. Box 1670, Capitola, Ca 95010

July 28, 2005

Mr. Craig Wingert
Fishery Management Specialist
NOAA Fisheries, Southwest Region
501 W. Ocean Blvd., Suite 4200
Long Beach, CA 90802-4213

Subject: Freedom Of Information Act Request

Directors

Fabian Alvarado
Robert Briggs
Joseph Burch
Charles Burton
Richard Burton
Barbara McCrary
Cate Moore
Eric Moore
Gerald Nelson
Peter Twight

Dear Mr. Wingert,

Thank you for letting Fabian Alvarado know of your finding that the information in Homer T. McCrary's November 6, 2003 petition and subsequent documents presents substantial scientific or commercial information indicating that the petitioned action may be warranted. CCFA welcomes your July 11, 2005 telephone commitment to Fabian Alvarado to promptly publish this finding in the Federal Register and commence a review of the status of the species concerned.

As you know, the National Marine Fisheries Service Southwest Fisheries Science Center (NMFS SWFSC) Santa Cruz Laboratory's second review of Mr. McCrary's petition, dated March 17, 2005, mentions "new molecular genetic data assembled by the NMFS SWFSC Santa Cruz Laboratory indicating that coho salmon south of the Golden Gate are not the result of anthropogenic introduction, and are a historic part of the species southernmost ESU." According to the NMFS SWFSC Santa Cruz Laboratory, "[t]hese genetic studies provide several lines of evidence indicating that coho salmon from south of San Francisco Bay, i.e., fish in Scott, Waddell and Gazos creeks are not the result of recent introduction or stocking and are native to the area." Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, we are formally requesting these aforementioned genetic studies including:

- said several lines of evidence that indicate coho south of San Francisco Bay are native and not the result of anthropogenic introductions;
- any and all "genetic studies" that exclusively "demonstrate that these populations meet all of the predictions of a native species at the southern edge of their range" and could not be legitimately interpreted to concur with Mr. McCrary's conclusion that coho south of San Francisco were artificially introduced and have been repeatedly planted with stocks from Northern California, Oregon, and Washington, with significant plants from Marin County stocks made since the population bottleneck in the mid-1970s that resulted from a naturally-occurring drought;

- any and all “genetic studies” that show how the southern portion of the Central California Coast ESU demonstrates naturally-occurring “genetic distance highly correlated with geographic distance” despite the Santa Cruz Lab’s finding that coho south of San Francisco genetically resemble Noyo River coho (a distance of nearly 200 miles) more than Russian River coho (a distance of about 100 miles);
- any and all “genetic studies” that suggest “that populations further to the north are connected by relatively frequent migrants” but cannot be explained by the relatively frequent artificial planting of stocks further to the north.

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, we are also formally requesting the entire administrative record concerning Mr. McCrary’s petition including but not limited to any emails, letters, memos, or reports associated with the petition.

If you deny all or any part of this request, please cite each specific exemption to justify your withholding of information. Notify me of appeal procedures available under the law.

Gratefully yours,



Peter A. Twight
President

cc: Rodney McInnis, Regional Administrator