STATE OF CALIFORNIA—THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

CALIFORNIA COASTAL COMMISSION
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BY:

March 19, 2007

William Douros
Regional Director
West Coast Region
National Marine Sanctuary Program
National Oceanic and Atmospheric Administration
99 Pacific Street, Bldg. 200, Suite K
Monterey, CA 93940

RE: **CD-072-06, NOAA** Marine Protected Areas in the Channel Islands National Marine Sanctuary

Dear Mr. Douros:

On March 16, 2007, by a unanimous vote, the California Coastal Commission conditionally concurred with the above-described NOAA consistency determination for the designation of marine protected areas in the Channel Islands National Marine Sanctuary. The Commission's adopted condition to its concurrence is:

CONDITION:

1. In the event NOAA elects not to implement Alternative 1a, NOAA will implement Alternative 1c, with the following additional provisions: until such time as the Resources Agency and the Fish and Game Commission designate the areas in between the existing State-designated MPAs and the 3 mile limit (i.e., the "gaps" between the existing state MPAs and the federal MPAs depicted in Alternative 1c [and shown on Exhibit 9]), or the Fish and Game Commission/DFG and NOAA enter into an interagency agreement that establishes MPA protection for these "gap" areas, NOAA will expand Alternative 1c to include in its MPA designation these "gaps" between the outer boundaries of the existing state MPAs and the State-federal waters boundary (3nm from shore).

The basis under the enforceable policies of the Coastal Act for the condition was contained in the staff recommendation mailed for the April 16, 2007, Commission meeting. With the above condition, the Commission found the project, to be consistent to the maximum extent practicable with the California

Coastal Management Program. As provided in 15 CFR § 930.4(b), should NOAA not agree with the Commission's condition of concurrence, then all parties shall treat this conditional concurrence as an objection.

Sincerely,

Mark Delaplaine

Mark Delaplaine
Supervisor
Federal Consistency Unit

cc: South Central District Office