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October 19, 2010

Dr. Jane Lubchenco, Administrator
National Oceanic and Atmospheric Administration (NOAA)
1401 Constitution Avenue, N.W., Room 5128
Washington, DC 20230

Re: Marine Mammal Protection Act (MMPA) Permit for the Navy's Northwest Training Range Complex (NWTRC)

Dear Dr. Lubchenco:

The Mendocino County Board of Supervisors is on record, as stated in our comment letter to the Navy (4/7/2009) regarding the (NWTRC) as being fully supportive of the Navy's training mission. However, we are equally confident that this mission can be accomplished without unnecessarily placing at risk the numerous public trust values of our fragile marine environment.

We are concerned that the Navy has not adopted appropriate mitigations to safeguard fish, fisheries and marine mammals that may be threatened by the Northwest Training Range Complex (NWTRC) training activities. Because the Navy says that its training activities in California waters will be minimal, it will not significantly impact the Navy to adopt reasonable exclusion zones. However, the Navy essentially ignores the possibility that there may be any significant impact to fish or fisheries, despite credible scientific evidence to the contrary.

Further, the Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) proposes mitigations for the take of marine mammals that are demonstrably ineffective. Under ideal conditions of calm seas and daylight, the mitigations are only able to detect marine mammals less than 10% of the time. We maintain that the only effective mitigation is to avoid habitat areas where marine mammals are most likely to be present.

Fisheries resources off the north coast of California have been decimated in recent decades and hundreds of millions of state and federal funds have been expended in efforts to recover anadromous fish species listed as threatened and endangered. Further, pursuant to the State of California Marine Life Protection Act, Marine Protected Areas (MPA) will soon be adopted for the California north coast region in an effort to help recover fisheries resources. It is illogical to needlessly permit the Navy to further negatively impact protected species at the same time other agencies are investing significant funding in recovery efforts.

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We strongly concur with Congressman Mike Thompson (Navy letter 10/8/2010) that it is "unacceptable that the Navy will not even consider some restrictions on its activities to reduce its potentially significant, but in many cases largely unknown, impacts on marine resources - nor provide specific justification for its compelling need to avoid any restrictions."

We originally considered requesting that any Marine Mammal Protection Act (MMPA) permit issued to the Navy for the NWTRC prohibit all training activities within 50 miles of any MPA once they are designated. However, in view of the Navy's continuing intransigence in implementing reasonable mitigations and the vulnerable state of our fisheries resources, we concur with the Humboldt County Board of Supervisors (Navy letter 10/19/2010) that "the only viable mitigation for our coast is avoidance."

Further, we request that NOAA delay issuance of the required MMPA permit for sixty (60) days to allow the public additional time to comment.

Sincerely,



Carre Brown, Chair

cc: Michael Payne, Chief
Permits, Conservation and Education Division,
Office of Protected Resources, National Marine Fisheries Service,
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