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**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS**

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March 25, 2014

The Honorable U.S. Congressman Jared Huffman
1630 Longworth Building
Washington, D.C. 20215

**RE: U.S. Navy NWTT Draft EIS/OEIS & Applications to NOAA for Two Permits to Take
Marine Mammals in the NWTT Range**

Dear Congressman Huffman:

The Mendocino County Board of Supervisors is on record, as previously stated in several comment letters to the U.S. Navy dating back to April 7, 2009, as being fully supportive of the Navy's training mission. We are confident this mission can be accomplished without placing at risk the numerous public trust values of our fragile marine environment.

That said, we are concerned that the Navy has not adopted appropriate mitigation measures for safeguarding fish, fisheries, and marine mammals that may be threatened by activities in the Northwest Training & Testing Range Complex (NWTT).

The current Navy NWTRC (Northwest Training Range Complex), Record of Decision (ROD), was approved on October 25, 2010. Now the Navy proposes the expansion of this range, in the U.S. Navy Permit Application to NOAA dated December 18, 2013, increasing potentially harmful activities in the NWTT range between 2015 through 2020.

Although the Navy says the impacts of its activities in California water would be minimal, this ignores credible scientific evidence to the contrary in the Navy NWTRC Record of Decision signed on October 25, 2010. In addition to firing large caliber weapons and setting off high-intensity sonar in the habitat of large mammals, the Navy will be releasing hazardous and expended materials into their migration path.

Further, the NWTT Environmental Impact statement/Overseas Environmental Impact Statement (EIS/OEIS) proposes mitigations for the "take" of marine mammals that are demonstrably ineffective. Under the ideal conditions of calm seas and daylight, the mitigations are only able to detect marine mammals as little as 9 percent of the time. We maintain that the only effective mitigation is to avoid habitat areas where marine mammals are most likely to be present along the California coastline.

We strongly concur with U.S. 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 resource - nor provide specific justification for its compelling need to avoid any restrictions."

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We are 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 of California's Marine Protection Areas. Due to 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."

On the Navy NWTT Range Map the Navy has allowed a 12 mile buffer along the coast line where Navy activities will be limited. This area should be extended to at least 50 miles offshore, to ensure active sonar and discharging of weapons will not harm the bulk of the biologically rich life that thrives along our coastline's upwelling zone. In part, an expanded buffer will create a "no take" zone to help ensure the Navy does not impact marine mammals along the Pacific Coast.

Further, we request that you petition NOAA to re-open the public comment period which ended on February 28, 2014. Based on feedback, we believe our constituents have not had sufficient time to review and evaluate the NWTT Draft EIS/OEIS and the Navy application. The intended NEPA goals of openness, transparency, full disclosure, and public engagement has lead us to request NOAA to re-open and extend public comment period for an additional sixty days.

Finally, we request that you petition U.S. Navy extend the public comment period for the NWTT Draft EIS/OEIS, which ends April 15, 2014, for an additional thirty-nine days that would end on May 24, 2014. This would represent a 60-day extension from the original March 25, 2014 deadline, and would give our County's residents more time to do a thorough review and give commentary on the proposed actions.

Sincerely,



John Pirches, Chair

CC:

National Oceanic & Atmospheric Administration
The Honorable Dr. Kathryn Sullivan, Interim Administrator NOAA
1401 Constitution Ave., NW
Washington, D.C. 20230

National Marine Fisheries Service
The Honorable Michael Payne, Chief, Permits & Conservation Division
Office of Protected Resources
1315 East-West Highway
Silver Spring, MD 20910-3225

The Honorable U.S. Senator Barbara Boxer
112 Hart Senate Office Building
Washington, D.C. 20510

The Honorable U.S. Senator Dianne Feinstein
331 Hart Senate Office Building
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The Honorable Mike Thompson
231 Cannon House Office Building
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