

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



December 20, 2000

Jeff Benoit, Director
Office of Ocean and Coastal Resource Management
1305 East West Highway, 11th Floor
Silver Spring, MD 20910

Dear Mr. Benoit:

As you are aware, further questions have arisen regarding the geographic scope of federal consistency review that would occur pursuant to the Coastal Commission's request to list the incidental take permits issued by the U.S. Fish and Wildlife Service. We believe it would benefit the public and interested agencies to clarify the language in #3 of the geographic description. Therefore, for purposes of clarification only, we submit the following revised language to OCRM:

Department of the Interior - U.S. Fish and Wildlife Service:

Incidental take permits (ITPs) issued pursuant to section 10(a) of the federal Endangered Species Act of 1973 (ESA)(16 USC § 1539(a)(1)). This includes incidental take permits issued pursuant to the federal habitat conservation planning (HCP) program or any other multi-species or multi-agency habitat planning program.

The description of geographic areas outside the coastal zone where activities authorized by ITPs are likely to affect the coastal zone include the following: 1) federal land geographically within the coastal zone; 2) areas inland of the coastal zone that include habitat that is intended in any way to offset impacts to resources within the coastal zone; and, 3) within coastal counties or coastal watersheds, whichever extends the least distance inland, habitat areas outside the coastal zone that are contiguous or adjacent to the coastal zone boundary and that function as an integral part of an ecosystem that includes habitat within the coastal zone.

[NOTE: #3 previously read, "areas outside the coastal zone that are contiguous or adjacent to the coastal zone boundary and that function as an integral part of an ecosystem that includes habitat within the coastal zone."]

Please call me if you or your staff have any questions regarding this matter.

Sincerely,

Peter M. Douglas
Executive Director

cc: Commissioners
Mike Spear, U. S. Fish and Wildlife Service
Robert Hight, California Department of Fish and Game

Mary Nichols, Secretary Resources Agency