

CALIFORNIA COASTAL COMMISSION

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



July 10, 2006

Mandy Allen
Operations Administrator
Monterey Bay Aquarium Research Institute
7700 Sandholdt Road
Moss Landing, CA 95039

Re: Monterey Bay Aquarium Research Institute (MBARI) Benthic Rover Test Deployment
Modification to MARS project (CDP E-05-007/Consistency Certification CC-076-05)

Dear Ms. Allen :

On September 15, 2005, the Commission authorized the above-referenced MBARI proposal to install and operate a 31.7-mile long marine research fiber optic cable offshore of Moss Landing and within the Monterey Bay National Marine Sanctuary. One of the conditions of approval provided

1. **Scope of Project Approval.** This permit authorizes those project activities specifically described in MBARI's June 6, 2005 coastal development permit application, as amended by letters and submittals dated July 7, 2005, July 11, 2005, August 22, 2005, and August 29, 2005, except as otherwise modified by the conditions of this permit. Any future modifications of or additions to the project, as described in the referenced documentation, shall require an amendment to this permit.

MBARI has submitted a letter dated July 7, 2006, describing short term Benthic Rover testing, seaward of the coastal zone boundary. Under the federal consistency procedures (15 CFR Section 930.65), the Commission reviews project modifications and any changed circumstances to determine whether a previously-concurred activity remains consistent with the Coastal Act, or whether the modifications/changes render the project: (1) substantially different than originally described; and (2) no longer consistent with the applicable Coastal Act policies. Based on the information included in your letter, combined with the understanding that the additional commitment contained in the email communication from you to NOAA Sanctuaries-MBNMS, is also incorporated into the test (particularly, contingency plans for removal of any non-functioning equipment), the Coastal Commission staff agrees with MBARI that the test would not affect the coastal zone, and that, as modified, the originally concurred-with activity remains consistent with the applicable Coastal Act policies.

If you have any questions, feel free to contact me at (415) 904-5205.

Sincerely,

A handwritten signature in black ink, appearing to read "Alison Dettner". The signature is fluid and cursive, with the first name "Alison" written in a larger, more prominent script than the last name "Dettner".

Alison Dettner

Manager, Energy and Ocean Resources Unit

cc: Santa Cruz District Office
State Land Commission (Dwight Sanders)
MBNMS (Dierdre Hall)