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STAFF RECOMMENDATION ON CONSISTENCY DETERMINATION

Consistency Determination No.	CD-033-02
Staff:	LJS-SF
File Date:	5/01/02
60th Day:	6/30/02
75th Day:	7/15/02
Commission Meeting:	7/8/02

FEDERAL AGENCY: **U.S. Air Force**

PROJECT LOCATION: Existing Water Training Area, three to seven nautical miles off the coast of San Diego County (Exhibit 1).

PROJECT DESCRIPTION: Expansion of existing overwater combat search and rescue training operations using helicopters, fixed-wing aircraft, and associated equipment and personnel.

SUBSTANTIVE FILE DOCUMENTS:

1. CD-89-90 (U.S. Navy, Evaluation of Distributed Explosive Technology, San Clemente Island, Los Angeles County).

2. CD-002-01 (U.S. Navy, Naval Air Warfare Testing and Training Activities on the Point Mugu Sea Range offshore of southern California).

EXECUTIVE SUMMARY

The Air Force has submitted a consistency determination for increasing the number of its ongoing Combat Search and Rescue (CSAR) training operations occurring at an existing Water Training Area (WTA), which encompasses approximately 17 square nautical miles of the Pacific

Ocean and extends from three to seven nautical miles offshore of Imperial Beach in San Diego County. The WTA is currently used for various search and rescue training operations by government aircraft and surface vessels, including those from the Navy, Coast Guard, and Air Force. The proposed Air Force operations which are the subject of this consistency determination involve overwater training in the WTA by HC-130 fixed-wing aircraft, HH-60 helicopters, and associated personnel (including pararescue jumpers) and equipment (e.g., sea dye markers, lightsticks, and marine flares).

Currently, the Air Force undertakes approximately 575 search and rescue training sortie-operations (use of one airspace unit by one aircraft) per year at the WTA using HH-60 helicopters and HC-130 aircraft from a reserve unit at Davis-Monthan AFB. Overall, approximately 3,000 overwater and surface training operations are currently undertaken by Navy, Coast Guard, and Air Force units each year in the WTA. The proposed activity described in this consistency determination consists of increasing the number of Air Force CSAR training operations by approximately 575 sortie-operations per year within the WTA. This increase represents a doubling of the number of Air Force CSAR training operations in the WTA and a 19% increase in overall training operations in the WTA.

Fixed-wing aircraft and helicopters will transit the WTA during the hour-long training operations at altitudes ranging from 150 to 500 ft. and 10 to 200 ft. above mean sea level (MSL), respectively. The presence of and noise generated by these aircraft, particularly helicopters hovering at altitudes less than 50 ft. MSL, and any in-water activities by Air Force personnel, could affect marine mammals that may be present immediately below the helicopter. However, the helicopter would only be at 10 ft. MSL for five minutes and at 30 to 50 ft. MSL for 15 minutes during any one operation, and the generated sound would not reach a level that would injure marine mammals. In addition, the Air Force has committed to continue to implement its existing policy to have aircrews make every reasonable effort to avoid contact or interaction with marine fauna and marine mammals in the WTA.

The use of lightsticks, marine flares, and sea dye packs are essential elements in ongoing training operations conducted by the Air Force, Navy, and Coast Guard in the WTA, and they will be used in the proposed expansion of the CSAR training operations. While the expansion of operations will lead to an increase in the volume of debris placed in the ocean waters of the WTA, and a potential slight increase in the risk to marine mammals in the area, the Commission agrees with the Air Force that there are no current alternatives to using these materials. However, the Commission also determines that based on the existing use of these materials in the WTA and the apparent lack of impact on marine resources, there will likely be no significant adverse effect on marine mammals or the marine environment from the expanded use of these training materials in the WTA. The Commission concludes that the proposed expansion of CSAR training operations in the WTA will not adversely affect marine mammals or marine resources in this area and is consistent with the marine resources and water quality policies (Sections 30230, 30231, and 30232) of the Coastal Act.

The proposed increase in CSAR training operations is designed to ensure public safety and avoid adversely affecting public recreational activities in the WTA. The Commission notes that the

Air Force, Navy, and Coast Guard have historically conducted water training operations in the WTA using aircraft and surface vessels without apparent significant conflicts with public recreational use of the area. The short duration of existing and proposed CSAR training operations and the commitment by the Air Force to continue its policy of keeping WTA operations separated by at least one nautical mile from boats and watercraft should ensure that project impacts on public recreation in the WTA remain negligible. Therefore, the Commission finds that the proposed increase in CSAR training operations is consistent with the public access and recreation policies (Sections 30210, 30211, 30212(a), 30213, and 30220) of the Coastal Act.

STAFF SUMMARY AND RECOMMENDATION:

I. Project Description.

The U.S. Air Force proposes to increase the number of its ongoing search and rescue training operations occurring at an existing Water Training Area (WTA), which encompasses approximately 17 square nautical miles of the Pacific Ocean and extends from three to seven nautical miles offshore of Imperial Beach in San Diego County (Exhibit 1). The WTA is currently used for various overwater search and rescue training operations by government aircraft and surface vessels including those from the Navy, Coast Guard, and Air Force. The proposed Air Force operations which are the subject of this consistency determination involve overwater training in the WTA by HC-130 fixed-wing aircraft, HH-60 helicopters, and associated personnel (including pararescue jumpers) and equipment (e.g., sea dye markers, lightsticks, and marine flares). The proposed increase in training operations is associated with the establishment of an active duty Air Force Combat Search and Rescue (CSAR) unit to be established at Davis-Monthan Air Force Base (AFB) southeast of Tucson, Arizona. The Air Force states in its consistency determination that:

> *The primary mission of the proposed CSAR unit is to provide worldwide, deployable long-range combat search and rescue of downed aircrew members. Secondary missions include providing air rescue capability for the installation at which the unit is located and long-range civilian search and rescue capability for the region . . . Water operations, whether conducted during the day or night, are vital to both combat and peacetime rescue capabilities.*

Currently, the Air Force undertakes approximately 575 search and rescue training sortie-operations (use of one airspace unit by one aircraft) per year at the WTA using HH-60 helicopters and HC-130 aircraft from a reserve unit at Davis-Monthan AFB. Overall, approximately 3,000 overwater training operations are currently undertaken by Navy, Coast Guard, and Air Force units each year in the WTA. The proposed activity in this consistency determination consists of increasing the number of Air Force CSAR training operations by approximately 575 sortie-operations per year within the WTA. This increase represents a doubling of the number of Air Force CSAR training operations in the WTA and a 19% increase in overall training operations in the WTA.

The proposed increase in HH-60 helicopters would average ten, 1-hour sortie-operations per week (approximately 40 per month, or 500 per year), and the increase in HC-130 aircraft would average 1.5, 1-hour sortie-operations per week (approximately six per month or 75 per year). The Air Force states that of the 500 new helicopter operations, 200 would occur in the hours between 7 A.M. and 7 P.M., 200 between 7 P.M. and 10 P.M., and 100 between 10 P.M. and 7 A.M. Of the 75 new fixed-wing aircraft operations, 30 would occur between 7 A.M. and 7 P.M. and 45 between 7 P.M. and 10 P.M. This day/evening/night distribution for the proposed increase in training operations to support the new CSAR unit reflects the existing temporal distribution of the 575 Air Force sortie-operations that presently occur at the WTA.

The consistency determination describes the HH-60 helicopter and HC-130 fixed-wing aircraft operations that currently and will continue to occur in the WTA as a part of CSAR training activities:

> HH-60 Helicopters: *While daytime training may involve the use of either 1 or 2 helicopters, flight operations after dark require the use of 2 helicopters to maximize flight safety. The helicopters would transit to the WTA from Davis-Monthan AFB at 500 feet (ft) above ground level utilizing visual flight rules (VFR). Once within WTA boundaries, the helicopters would operate between 10 and 200 ft above mean sea level (MSL) during the entire search and rescue training operation. A typical HH-60 sortie-operation would last 1 hour. After entering the WTA, the HH-60 would drop to 100 ft MSL then conduct search and rescue operations at varying altitudes. On a typical mission the HH-60 would spend approximately 5 minutes at 10 ft MSL, 15 minutes at 30 to 50 ft MSL, and the remainder (40 minutes) at 150 ft MSL. Marine flares would be dropped during CSAR training exercises in the WTA. Smoke from flares would be used to check wind direction. Daytime CSAR training in the proposed WTA would involve use of sea dye markers dropped from the helicopter to mark the location of a survivor. The markers would also provide a navigational aid for the helicopter aircrew.*
>
> *Since HH-60 aircrews would train with NVG* [night vision goggles] *after dark, WTA training operations would also involve the use of lightsticks. Lightsticks would be dropped from the helicopter to monitor the survivor's position relative to the helicopter. Lightsticks would be used instead of flares because flares can blind pilots who are using NVG and marine flares also mark for the enemy both the survivor's and the rescuer's location in a hostile environment.*
>
> *During some of the training operations, PJs* [pararescue jumper] *would jump out of the helicopter to perform simulated search and rescue operations; the PJs would be dropped at an altitude of approximately 10 ft MSL. Personnel drops and pickups associated with pararescue training operations would be practiced using rope, rappel, ladders, and hoist while the helicopter hovers at 15 to 50 ft MSL. In all circumstances, HH-60 aircrews would attempt to avoid boats and other watercraft by a minimum of 1 NM. In addition, aircrews would make every reasonable effort to avoid contact or interaction with marine fauna and marine mammals in the WTA.*

HC-130 Fixed-Wing Aircraft: *All HC-130 sorties would be performed during the day; no operations after dark are planned. A typical HC-130 sortie-operation within the WTA would consist of 1 aircraft operating between 150 and 500 ft MSL for approximately 30 minutes. After initial entrance into the WTA, a surveillance circle would be flown at 300 to 500 ft MSL to check for vessels operating in the area. Once a clear area is identified, 1 marine flare would be dropped to mark the position of a "survivor." Subsequent drops of smaller flares would then be conducted to simulate the dropping of survivor kits to the person being rescued. Sea dye markers would also be used to serve as navigational aids during the search and rescue training operations. PJs would not be dropped from HC-130 aircraft.*

Given the proposed increase in aircraft operations in the WTA, the consistency determination includes commitments regarding the protection of public recreation and marine mammals:

No restrictions on public access to the WTA are proposed during CSAR training operations, and all operations would be conducted only after surveillance of the area identifies a clear zone with at least 1-NM separation from any boats or other watercraft . . .

Aircrews would make every reasonable effort to avoid contact or interaction with marine fauna and marine mammals in the WTA.

In addition, ongoing and proposed CSAR training operations in the WTA require the use of sea dye markers, marine flares, and lightsticks. These materials are currently used by Air Force, Navy, Coast Guard, and civilian organizations (e.g., fishermen, recreational divers) in San Diego Bay and the Pacific Ocean, including the WTA, for training, rescue, recreational diving, and commercial fishing activities. The consistency determination provides information on how each of these items is used in the WTA during existing CSAR operations:

Sea Dye Markers: *The M59 is a marine location dye marker consisting of a heat-sealed plastic laminate bag (about 34 inches x 17 inches x 15 inches) filled with 22 ounces or uranine, a non-hazardous liquid dye composed of soluble sodium salt of fluorescein. The dye, which is not toxic or hazardous, is designed to mark the location of objects in the water. The plastic bag is dropped into the water from a minimum height of 50 ft at static or moving speeds. Upon hitting the water, the bag ruptures, scattering the enclosed dye to form a brilliant, fluorescent emerald green slick approximately 20 ft in diameter. The slick is visible within a 10-mile radius at an altitude of 3,000 ft MSL for an average of 2 hours. While the dye disappears within 2 hours, the plastic bag or pieces thereof, could remain suspended in the water column, sink to the bottom, or wash ashore.*

Marine Flares:

The MK6 Mod 3 marine flare consists of 4 pyrotechnic candles contained in a square wooden block (about 18 inches x 17 inches x 26 inches) . . . The total burning time is approximately 40 minutes. The flare is released at altitudes of 300-1,000 ft MSL.

The MK25 Mod 3 marine flare consists of an aluminum body (about 55 inches x 55 inches x 41 inches) containing a pyrotechnic composition . . .and emits a yellow flame and white smoke for 13 to 18 minutes. The flare is released at altitudes of 150-500 ft MSL.

. . . As the flares would be deployed in a dynamic environment (i.e., ocean), possible impacts associated with deployment would not be hazardous because the pollutants would be quickly and effectively reduced to insignificant concentrations through dispersion and advection. The potential for exposure to smoke generated by the flares would be minimal due to the remoteness of the WTA. Should a flare fail to deploy and be encountered by someone, instructions printed on the flares instruct the finder to contact appropriate authorities to remove the item. Only one such report has been received in the last 11 years (NSWC 1999) . . . The reliability rates (the percentage of the time successful deployment of the marine flares occurs) for the MK6 and MK 25 marine flares are between 90 and 95 percent (NSWC 1999).

Lightsticks: *Illumination provided by lightsticks is generated by a chemical reaction that takes place when 2 solutions are allowed to mix. To prevent the reaction from occurring prematurely, one of the solutions is stored in a very thin glass capsule that is easily broken by flexing or bending the tube. Once the tube is broken, the 2 chemicals are allowed to mix, and illumination occurs . . . Due to the high-density plastic used to seal the lightsticks, it is unlikely that the materials contained within the lightstick would ever be discharged to the environment.*

The Air Force estimates that over the course of one year approximately 10,000 lightsticks, 2,320 marine flares, and 1,190 sea dye markers will be used as a part of its expanded CSAR training operations in the WTA. The existing and continued use of these marine location markers during search and rescue training operations in the WTA will result in the addition of these items and/or their by-products into the marine environment. When conditions allow, personnel involved in training operations will attempt to recover lightsticks within the immediate vicinity at the completion of each exercise.

II. Federal Agency's Consistency Determination.

The U.S. Air Force has determined the proposed project consistent to the maximum extent practicable with the California Coastal Management Program.

III. Staff Recommendation.

The staff recommends that the Commission adopt the following motion:

MOTION: I move that the Commission **concur** with consistency determination CD-033-02 that the project described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the California Coastal Management Program (CCMP).

Staff Recommendation:

The staff recommends a **YES** vote on the motion. Passage of this motion will result in a concurrence with the determination and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is required to pass the motion.

Resolution to Concur with Consistency Determination:

The Commission hereby **concurs** with the consistency determination by the U.S. Air Force, on the grounds that the project described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the CCMP.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Marine Resources.

The Coastal Act provides the following:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such

materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The Air Force is proposing an approximately 19% increase over the current level of training operations in the WTA (total operations conducted by the Air Force, Navy, and Coast Guard). The Draft Environmental Assessment for the project includes information on the significant marine resources present in the Water Training Area (WTA), which is located with the Southern California Bight (SCB), the ocean area that extends south from Point Conception in Santa Barbara County to the U.S. – Mexican border, and on the existing and expected effects of training operations on marine resources. Those resources are summarized as follows:

- There are no kelp forest ecosystems in the WTA due to the water depth and bottom characteristics of the WTA.

- Approximately 480 species of fish inhabit the SCB.

- The WTA is located within two designated Essential Fish Habitat zones established to protect coastal pelagic and groundfish species.

- Four species of sea turtles found in southern California waters are currently listed as either endangered or threatened under the ESA of 1973 as amended. Only three species are likely to be encountered in the SCB and WTA: juvenile loggerhead, leatherback, and green.

- Although more than 30 cetacean species and 6 pinniped species are known to occur in the SCB, few of these are expected to be common in the nearshore region of the WTA. The odontocete species most likely to be encountered close to shore is the bottlenose dolphin. Short-beaked common dolphin is the most ubiquitous odontocete in southern California waters, and may occur in the proposed project area. Long-beaked common dolphin may also be found in the area.

- Among the mysticetes, the gray whale is expected to be common in the WTA during its southward and northward migrations in winter and spring, respectively. The federally endangered humpback whale is occasionally sighted in fall and summer in the SCB and may be encountered seasonally in the WTA.

- Two species of pinniped can be found in the area: harbor seals and California sea lions. Although both species are regularly sighted in the area, their presence and abundance vary significantly from season to season.

The potential adverse effects on marine resources from the proposed increase in CSAR training operations in the WTA can be classified as: (1) effects from disposal in the ocean of marine location marker debris (sea dye packs, marine flares, and lightsticks); and (2) effects on marine mammals from helicopter and fixed-wing aircraft operations.

Marine Location Markers. As noted earlier in this report, the Air Force estimates that approximately 10,000 lightsticks, 2,320 marine flares, and 1,190 sea dye packs would be dropped annually within the WTA during CSAR training operations. Each of these marker tools are currently used by the Air Force, Navy, and Coast Guard in WTA training operations, but an accurate estimate of the amount used is unavailable. The consistency determination addresses the potential effects on fish and sea turtles from marine location marker debris as follows:

> *Although personnel would attempt to recover some of the debris resulting from the use of marine location markers, a substantial portion of the debris and their by-products are expected to be released into the marine environment. Some flare types may release small amounts of wood, aluminum, and magnesium into the marine environment . . . Due to the dispersed nature of training operations within the WTA and the rapid dispersion and dilution of the by-products of any of the marine location markers, impacts to marine invertebrates and fish species would not be significant.*
>
> . . .
>
> *Although rare in the area containing the WTA, leatherbacks and juvenile loggerheads are expected to be the most common sea turtles at the depths occurring in the WTA. Further, it has been documented that loggerheads have a high rate of debris ingestion with plastic bags being the dominant debris type consumed. Should a marine marker – sea turtle interaction occur, the affected species would most likely be either a leatherback or loggerhead.*
>
> *Of the 3 types of marine location markers, flares would be the least likely to be ingested by sea turtles because of their basic construction. . . .*
>
> *The likelihood that any of the other marine markers (lightsticks, expended dye packs) would be consumed is low because the expected densities of sea turtles, lightsticks, and expended dye packs at any given time in the project area would be low. The dispersal of buoyant lightsticks would be wind-driven and therefore variable. . . In addition, the size, shape, and composition of a lightstick make it unlikely that a sea turtle would be able to ingest a lightstick. . . .*
>
> *Because of its similarity to the types of plastic most often consumed by sea turtles, expended sea dye packs would be the most likely of the 3 marine markers to be consumed if encountered . . . There exists a remote, yet real possibility that sea turtles in the project area could encounter and consume expended sea dye packs released into the WTA during training operations resulting in a detrimental effect on sea turtles off the coast of San Diego. Consultation with the national marine Fisheries Service under Section 7 of the Endangered Species Act has been initiated to address potential effects on sea turtles resulting from the use of the WTA during CSAR training activities.*

The consistency determination also examines the potential effects on marine mammals from marine location marker debris:

While there might be some risk of injury to marine mammals if they ingested the sharp plastic or glass shards of a broken lightstick, this would be an unlikely event due to the large area over which lightsticks are released. There are no records of marine mammal deaths resulting from ingestion of lightsticks and ingestion of foreign objects by cetaceans in the wild does not appear to be a common occurrence (Tarpley and Marwitx 1993).

. . .

Flare debris would be encountered in very small quantities and, aside from a small amount of wood debris (i.e., from the MK6), would sink in oceanic waters (particularly the aluminum housing of the MK25). Therefore, the potential impacts of flares on marine wildlife are not considered significant.

. . .

It is possible that the plastic bags used to dispense sea dye might pose a potential ingestion hazard for marine wildlife. However, the evidence to date does not suggest that the risk to marine wildlife species from exposure to these bags is high. These sea dye bags probably represent a small fraction of the total man-made plastic debris to which these species have been and will be exposed. The impacts of sea dye bags on marine wildlife would not be significant.

Aircraft Operations. The consistency determination examines the potential impact on marine mammals from the helicopter and fixed-wing aircraft operations associated with CSAR training in the WTA:

Most of the activities conducted by the Air Force in the WTA would be relatively transient from the perspective of a specific marine mammal. For most Air Force activities (except hovering helicopters), the potential source of disturbance at a given location lasts for no more than a few seconds. Also, the frequencies of occurrence and distributions of proposed search and rescue training operations are such that any given animal would be exposed to strong noise transients only infrequently.

. . .

The predicted underwater sound levels resulting from the stationary hover of an HH-60 helicopter at 10 ft MSL would be higher than during transit flights at 100 ft or greater. The overall predicted underwater sound levels would be about 146-147 dB re 1uPa directly under the helicopter. One-third octave levels would be about 130-136 dB re 1 uPa below the helicopter across a range of frequencies. At very low frequencies (<20 Hz) the predicted 1/3-octave sound level could reach as high as 143 dB re 1 uPa directly under the helicopter. As expected, at almost all frequencies the sound levels decline at increasing lateral distances from the helicopter's position. The distance at which 1/3-octave sound levels would exceed 120 dB re 1 uPa extends out to 100 ft for some of the lower frequencies. Given the hearing abilities of the bottlenose dolphin there is no doubt that they would hear

sounds from the hovering HH-60. However, even at the relatively high predicted sound levels, these sounds would be non-injurious (e.g., less than that required to produce TTS [Temporary Threshold Shift]*).*

Because dolphins and other odontocetes exposed to sound levels high enough to exceed the disturbance criteria would likely move away from the area rapidly, the disturbance would be transitory. Therefore, the impacts, if any, of an HH-60 helicopter hovering at 10 ft MSL would not be significant at individual or population levels for bottlenose dolphins or other odonocetes that may potentially occur within the WTA.

The proposed increase in U.S. Air Force Combat Search and Rescue (CSAR) training operations will occur in an area that has long served as a designated water training area (WTA) for this and other Air Force, Navy, and Coast Guard aircraft and surface vessel training operations. All three agencies currently use (and will continue to use for the foreseeable future) the WTA to conduct required day- and night-time training exercises in support of their unique mission-critical operations. The Commission is not aware of any significant marine resource impacts that have occurred in the past due to the use of the WTA by the aforementioned agencies. The Commission also notes that the Air Force is consulting with the National Marine Fisheries Service under Section 7 of the Endangered Species Act to address potential effects on sea turtles from the use of the WTA during CSAR training activities.

Fixed-wing aircraft and helicopters will transit the WTA during the hour-long training operations at altitudes ranging from 150 to 500 ft. and 10 to 200 ft. MSL, respectively. The presence of and noise generated by these aircraft, particularly helicopters hovering at altitudes less than 50 ft. MSL, and any in-water activities by Air Force personnel, could affect marine mammals that may be present immediately below the helicopter. However, the helicopter would only be at 10 ft. MSL for five minutes and at 30 to 50 ft. MSL for 15 minutes during any one operation, and the generated sound would not reach a level that would injure marine mammals. In addition, the Air Force has committed to continue to implement its existing policy to have aircrews make every reasonable effort to avoid contact or interaction with marine fauna and marine mammals in the WTA. The Air Force reports that the use of night vision goggles during night-time operations (which could account for between 17 and 60 percent of annual operations, the wide variability due to the seasons) enables aircrews to identify boats and mammals at the ocean surface and relocate to other areas in the WTA. In addition, while avoiding marine mammals and sea turtles that may be present in the WTA during CSAR operations is environmentally responsible, the Air Force states that it has a further incentive for such avoidance because that provides for a more safe and productive training operation for aircrews and pararescue jumpers.

The use of lightsticks, marine flares, and sea dye packs are essential elements in ongoing training operations conducted by the Air Force, Navy, and Coast Guard in the WTA, and they will be used in the proposed expansion of the CSAR training operations. While the expansion of operations will lead to an increase in the volume of debris placed in the ocean waters of the WTA, and a potential slight increase in the risk to marine mammals in the area, the Commission agrees with the Air Force that there are no current alternatives to using these materials. However, the Commission also determines that based on the existing use of these materials in the

WTA and the apparent lack of impact on marine resources, there will likely be no significant adverse effect on marine mammals or the marine environment from the expanded use of these training materials in the WTA. The Commission concludes that the proposed expansion of CSAR training operations in the WTA will not adversely affect marine mammals or marine resources in this area and is consistent with the marine resources and water quality policies (Sections 30230, 30231, and 30232) of the Coastal Act.

B. Public Access and Recreation.

The Coastal Act provides the following:

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources. . . .

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
. . .

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot be readily provided at inland water areas shall be protected for such uses.

As noted earlier in this report, the WTA currently supports a large number of search and rescue and other water training activities undertaken by Air Force, Navy, and Coast Guard units. The

proposed increase in Air Force CSAR training operations could potentially affect public recreation in the waters offshore of San Diego. However, the Air Force concluded in its consistency determination that the project would not generate adverse effects on recreation:

> *Current use of the WTA includes military, commercial, and recreational activities. Commercial fishing is an important use of offshore waters, and maritime traffic routes are common. Typical offshore recreational activities include sport fishing, sailing, boating, tourist-related activities, diving, and swimming.*
>
> *The Proposed Action would not interfere with the public's access to onshore or offshore CZ resources or recreational facilities and opportunities in the coastal area. No restrictions on public access to the WTA are proposed during CSAR training operations, and all operations would be conducted only after surveillance of the area identifies a clear zone with at least 1-NM separation from any boats or other watercraft. In addition, any operations already in progress would affect a very small portion of the WTA for not more than 60 minutes. Given the size of the WTA and the low frequency of operations, no significant impacts on or interference with public access and recreation in the area should result from the Proposed Action.*

The Commission agrees that the proposed increase in CSAR training operations is designed to ensure public safety and avoid adversely affecting public recreational activities in the WTA. The Commission notes that the Air Force, Navy, and Coast Guard have historically conducted water training operations in the WTA using aircraft and surface vessels without apparent significant conflicts with public recreational use of the area. The short duration of existing and proposed CSAR training operations and the commitment by the Air Force to continue its policy of keeping WTA operations separated by at least one nautical mile from boats and watercraft should ensure that project impacts on public recreation in the WTA remain negligible. Therefore, the Commission finds that the proposed increase in CSAR training operations is consistent with the public access and recreation policies (Sections 30210, 30211, 30212(a), 30213, and 30220) of the Coastal Act.

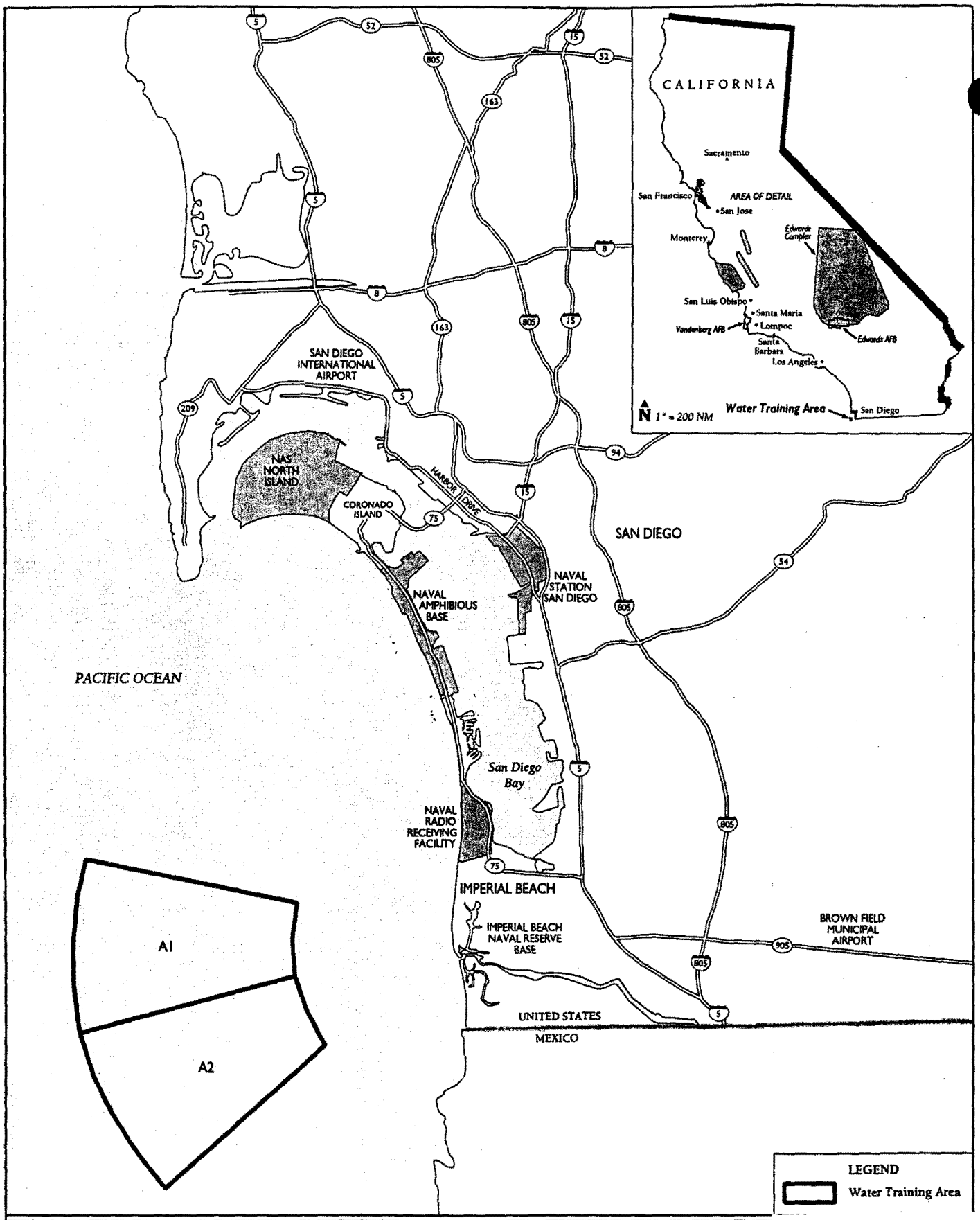

Figure 1
Water Training Area

EXHIBIT NO. 1
APPLICATION NO.
CD-033-02
California Coastal Commission