



Planning and Environmental Services
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City Council:
Jack Hawxhurst, Mayor
Cynthia Brock, Mayor Pro Tem
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August 25, 2003

Via e-mail, facsimile, and U.S. Mail

Mr. David Kaiser
Federal Consistency Coordinator, Coastal Programs Division
Office of Ocean and Coastal Resource Management
National Oceanic and Atmospheric Administration
1305 East-West Highway, 11th Floor
Silver Spring, MD 20910

Subject: Federal Consistency Energy Review Comments (Docket No. 030604145-3145-01)

Dear Mr. Kaiser:

Thank you for the opportunity to comment on the proposed rule revising the Federal Consistency regulations under the Coastal Zone Management Act of 1972. The following comments are provided on behalf of the City of Goleta:

1. The City of Goleta opposes this proposed rule. The proposed rule will curtail the state's role in the management of its coastal resources. Federal Consistency review provides a critical opportunity for cities, counties, other agencies, and the public to ensure that federal actions are consistent with the objectives and intent of the Coastal Zone Management Act. We are concerned that this proposed rule erodes the ability of local agencies to review and comment on certain Federal actions that directly or indirectly affect communities such as Goleta.
2. The City of Goleta is aware of the comment letter from Santa Barbara County dated August 19, 2003. In general and without reiterating that letter, the City concurs with their points and concerns, and we look forward to reviewing your response to their comment letter.
3. Finally, the proposed rule seems to create a way to sidestep the recent *California v. Norton* decision. The *California v. Norton* decision reaffirmed the appropriateness of federal consistency review for federal approval of oil and gas lease suspension of operations. Lease suspensions and lease sales should both be subject to federal consistency review.

Mr. David Kaiser
Federal Consistency Energy Review Comments
August 25, 2003
Page 2

If you have any questions about our concerns, you may contact me at (805) 961-7500.
Thank you.

Sincerely,

Frederick C. Stouder
City Manager