

CALIFORNIA COASTAL COMMISSION

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Wed13a

October 28, 1998

To: Coastal Commissioners and Interested Public

From: Susan Hansch, Deputy Director
Robin Blanchfield, Joint CCC/BCDC Oil Spill Program

Re: Letter in Support of the Monterey Bay National Marine Sanctuary (MBNMS)
Work Group's Proposal of Vessel Traffic Management Strategies for the
MBNMS and Central Coast of California

Item 13a Wednesday, November 4, 1998

BACKGROUND

In July 1998, staff briefed the Commission about the MBNMS Work Group's proposed package of vessel traffic management strategies.

The U.S. Coast Guard and the Monterey Bay National Marine Sanctuary staffs are presenting the MBNMS's Work Group's proposal to the U.S. Coast Guard's Navigational Safety Advisory Council (NAVSAC) at their next meeting on Saturday, November 21, 1998, in Monterey, California. Staff will be attending this meeting and would like to present a letter on behalf of the Coastal Commission expressing strong support for the adoption and implementation of the MBNMS Work Group's proposed vessel traffic management strategies.

ACTION REQUESTED

Staff requests that the Commission authorize the Chairman to sign and the staff to send the enclosed letter of support to the NAVSAC, U.S. Coast Guard, and National Oceanic and Atmospheric Administration (NOAA). This letter expresses the Commission's strong endorsement of the MBNMS Work Group's Proposal of Vessel Traffic Management Strategies and urges the U.S. Coast Guard and NOAA to take expeditious action to ensure that these vessel traffic management strategies are implemented as quickly as possible nationally, and internationally by the International Maritime Organization (IMO).

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November 4, 1998

Rear Admiral Robert North
Assistant Commandant for Marine Safety and Environmental Protection
U.S. Coast Guard
Commandant (G-M)2100
2nd Street, S.W.
Washington, D.C. 20593-0001

Margie Hegy
Executive Director
Navigational Safety Advisory Council (NAVSAC)
Commandant U.S. Guard (USCG)
2100 2nd Street, S.W. - G-M-2 Room 1405 A
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Stephanie Thornton
Chief, Sanctuaries and Reserves Division/NOAA
SSMC-4, 11th Floor
1305 East West Highway
Silver Spring, Maryland 20910

Subject: Monterey Bay National Marine Sanctuary (MBNMS) Vessel Traffic Management Proposal

Dear Sir or Madam:

SUPPORT FOR U.S. COAST GUARD'S SWIFT IMPLEMENTATION OF MBNMS VESSEL TRAFFIC MANAGEMENT PROPOSAL

On behalf of the California Coastal Commission, I would like to express our strong endorsement for the package of proposed vessel traffic management strategies, which were developed by the Monterey Bay National Marine Sanctuary Vessel Traffic Management Work Group (the MBNMS Work Group). These strategies are explained in detail in the *Monterey Bay National Marine Sanctuary Vessel Traffic Workbook* and were discussed with the public in a series of four workshops held in June 1998.

The Commission believes that the MBNMS Work Group's recommended strategies represent a feasible, economically reasonable and balanced vessel traffic management system, which seeks to maximize the protection of the coastal and marine resources of California and the Monterey

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Bay National Marine Sanctuary (the MBNM Sanctuary), while also allowing for the continuation of safe, efficient, and environmentally sound marine transportation.

The Commission commends the U.S. Coast Guard, National Oceanic and Atmospheric Administration (NOAA), and members of the MBNMS Work Group for their collaboration and commitment to the development of this comprehensive package of vessel traffic routing and management strategies over the past year

The Coastal Commission requests that the U.S. Coast Guard Navigation Safety and Advisory Council (NAVSAC) take expeditious action and adopt this package of strategies at its November meeting in Monterey. We also urge the U.S. Coast Guard to devote the necessary resources to ensure that the MBNMS Workgroup's proposed package of feasible and economically reasonable strategies is implemented as quickly as possible nationally, and internationally through the International Maritime Organization.

BACKGROUND AND NEED FOR THE MBNMS WORK GROUP'S PROPOSAL

Natural Resource Value

The Monterey Bay National Marine Sanctuary (MBNM Sanctuary) is the largest and most biologically diverse protected marine area in the United States, and is the second largest marine protected area in the world. It includes over 5000 square miles of water off central California, spanning over 350 miles of coastline from Cambria to the Marin Headlands. The MBNM Sanctuary was designated in 1992, in recognition of its national and international environmental importance, and its sensitive, unique, and abundant biodiversity.

The MBNM Sanctuary boasts the greatest biodiversity in temperate regions of the world. This diversity of life is largely caused by the uniqueness of the geophysical features of the area — the upwelling of cold, nutrient rich water from the deep offshore submarine canyons, the diversity of coastal and marine environments (e.g. estuaries, rocky coastlines, sandy beaches, subtidal reefs and soft bottoms, pelagic waters, deep sea), and complex oceanographic patterns. The MBNM Sanctuary is home to an extraordinarily diverse population of marine mammals, sea birds, fishes, invertebrates, kelp, algae and plankton — all of which are linked in unique ways to the habitats and delicate balance of the Pacific Ocean Basin. Linkages between the various habitats indicates that the MBNM Sanctuary offers diverse ecosystems that could suffer significant impacts if one or more of the links were broken due to an oil spill or other marine accident.

Economic Value

The MBNM Sanctuary's natural resources also generate significant monetary contributions and intrinsic value to California's state economy and its Central Coast's regional economy (through tourism, recreation, fishing, and scientific/educational institutions). According to the California Research Bureau estimates, coastal based tourism and recreation activities in the counties bordering the MBNM Sanctuary generated \$2.3 billion for California's economy in 1992.

It is also important to note that the MBNM Sanctuary is located in an area of critical importance to the conduct of maritime commerce. The waters within and adjacent to the MBNM Sanctuary

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are an integral link in the West Coast and trans-Pacific maritime trade route. Commercial maritime commerce is a critical component of the economy of the West Coast and the United States, and is inextricably linked to the international economy. There are approximately 4000 coastwise vessel transits by large commercial vessels each year through or adjacent to the waters of the MBNM Sanctuary; 20% of these transits are by tankers.

Threat of Oil Spill Impacts

Oil spills from large commercial vessel collisions and groundings represent a major threat to the sensitive, unique and biologically diverse resources of California's Central Coast and the MBNM Sanctuary. Although the historical record of spills offshore California may indicate that the total number and probability of spills from transiting vessels is relatively small, even small spills offshore central California can have catastrophic consequences for the unique and valuable biological resources of this region. Past oil spills offshore central California have caused wide spread fatalities in sea bird populations, with losses from previous spills ranging into the thousands of birds (e.g. Apex Houston, Puerto Rican). High fatalities are also a potential threat to the endangered southern sea otter population, and to the 50 other federally listed endangered or threatened species that inhabit the MBNM Sanctuary.

Clearly, the unique environmental and economic value of the MBNM Sanctuary's resources — which are held in public trust for this nation and for the international community — deserve special attention by the U.S. Coast Guard, NOAA, and the International Maritime Organization (IMO) to implement a vessel traffic management system, which balances the need for protection of these resources with the economic needs of maritime commerce.

THE COASTAL COMMISSION'S COMMITMENT

The California Coastal Commission is the State's coastal planning, management, and regulatory agency. It is also the federally approved management agency responsible for carrying out California's coastal management program under the Federal Coastal Zone Management Act. One of the Commission's key responsibilities is to provide the highest level of protection for California's valuable and unique coastal and marine resources. The Commission has long been concerned and has made specific recommendations to improve the navigational safety of vessels transiting offshore California in order to prevent or minimize the risk of oil spill impacts to its sensitive coastal and marine resources.

Vessel Traffic Concerns in the MBNM Sanctuary

Vessel traffic within the MBNM Sanctuary was a major issue of concern, during the Sanctuary designation process in 1992. The 1992 designation did not contain any regulations to address vessel traffic management or the threat of oil spills from vessel traffic. However, as part of the law creating the MBNM Sanctuary, Congress directed the U.S. Coast Guard and NOAA to produce a report (by March 1994) which assessed the risks of vessel traffic to the Sanctuary and recommend measures, as needed, to protect the Sanctuary's resources. In light of NOAA's and the Coast Guard's commitment to address these issues in their report to Congress, the Commission found the designation of the MBNM Sanctuary consistent with California's Coastal

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Management Program, pursuant to the federal consistency provisions of the federal Coastal Zone Management Act. It is important to note, however, that the Commission's concurrence with the 1992 Sanctuary designation stated:

"While the Commission understands the complexity of this issue which has the potential for impacting vessel traffic both foreign and domestic transiting the Central Coast, it also recognizes the need for establishing sound, yet practical management strategies to assure the permanent protection of the living resources identified within the Sanctuary.

The Commission has a long and consistent record of support for comprehensive ocean management. Accordingly, the Commission advocates those measures that will assure that the risks of vessel traffic on proposed Sanctuary resources are minimized. To this end, a diligent effort to establish vessel traffic safety lanes must be given the highest planning and management priority by NOAA.

In concurring with the proposed Sanctuary designation, the Commission finds that based on commitments made in the [Sanctuary] Management Plan, NOAA will take the initiative to actively work with the Coast Guard and other agencies to monitor current vessel traffic and to design and implement appropriate vessel traffic management measures. A strategy of workable and protective vessel traffic guidelines and rules is critical to the success of the MBNMS and the Commission commits itself to assist in any way possible to see this objective accomplished. . . ." [Emphasis added.]

Previous U.S. Coast Guard Vessel Traffic Management Actions

Prior to the MBNM Sanctuary designation, the U.S. Coast Guard had an extensive history of vessel traffic management proposals (dating back to the early 1980s) concerning the establishment of a vessel traffic management and routing system offshore the Central Coast of California. The U.S. Coast Guard chose not to implement any of these previous proposals in 1980, 1982, and 1989, due in part to the Mineral Management Service (MMS) concerns that the vessel lane layout in the previous proposals could potentially interfere with Outer Continental Shelf (OCS) oil and gas development operations.

It is important to note that the MBNMS Work Group's proposed set of vessel traffic management strategies satisfies MMS's concerns, as well as the concerns of the oil and gas industry and the maritime industry. Now is the perfect time and opportunity — after such a long history of unsuccessful efforts — for the U.S. Coast Guard to successfully implement the MBNMS Work Group's proposal, because it represents a vessel traffic routing and management strategies system that is workable, feasible, economically reasonable, and environmentally sound.

CONCLUSION

The U.S. Coast Guard and NOAA's establishment of the multi-stakeholder MBNMS Work Group in May 1997 was key to the development of this collaborative and balanced package of vessel traffic management strategies. The Coastal Commission very much appreciates the U.S. Coast Guard's and NOAA's leadership role in the MBNMS Work Group and the development of this vessel traffic management proposal.

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The Coastal Commission staff, along with the California Department of Fish and Game's Office of Spill Prevention and Response, actively participated in this MBNMS Work Group and represented the State's interests and needs. The MBNMS Work Group took their charge seriously and worked extremely hard to reach consensus among the industry, government, and conservation leaders on this proposed package of strategies. The representative stakeholders came to the negotiating table, willing to abandon long-held positions, and instead work collaboratively to develop a set of vessel traffic management strategies that were economically reasonable, feasible, and implementable at the international level, and which sought to effectively balance the need for protection of the Sanctuary's resources with the economic needs of the international maritime community.

The Coastal Commission strongly urges the Navigational Safety Advisory Committee, the U.S. Coast Guard, and NOAA to seize this opportunity to adopt the MBNMS Work Group's proposal for Vessel Traffic Management Strategies and make the commitment to swiftly move it through the International Maritime Organization (IMO). We encourage you to set the year 2000 as your goal for IMO implementation of these strategies. What better time than the start of the new century to establish an international precedent that demonstrates the successful partnership that international private/public collaboration can provide for the long term protection and salvation of our planet's precious ocean resources.

The Coastal Commission and its staff remain committed to assist the U.S. Coast Guard and NOAA in any way possible to see this goal accomplished.

Sincerely,

Rusty Areias
Chairman, California Coastal Commission

CC:

- ◆ Members of the California Coastal Commission
- ◆ Admiral North, U.S. Coast Guard, Chief of Marine Safety Division, USCG Headquarters
- ◆ Governor Pete Wilson, Governor of California
- ◆ Stephanie Thorton, NOAA, Sanctuaries and Reserves Division
- ◆ Linda Johnson, NOAA, IMO Representative
- ◆ Ed LaRuche, U.S. Coast Guard, IMO Representative
- ◆ Jeff Benoit, NOAA, Office of Coastal Resource Management
- ◆ Nancy Foster, NOAA
- ◆ Congressman Sam Farr, United States House of Representatives (a member of the MBNMS Work Group)
- ◆ Congresswoman Anna Eshoo, U.S. House of Representatives
- ◆ Congresswoman Lois Capps, U.S. House of Representatives
- ◆ Assemblymember Ted Lempert, California State Assembly (a member of the MBNMS Work Group)
- ◆ Assemblymember Fred Keeley, California State Assembly (a member of the MBNMS Work Group)
- ◆ Assemblymember Tom Bordonaro, California State Assembly
- ◆ Assemblymember Brooks Firestone, California State Assembly
- ◆ Senator Bruce McPherson, 15th district, State Senate
- ◆ Senator Jack O'Connell, 18th District, State Senate
- ◆ Senator Barbara Boxer, U.S. Senate
- ◆ Senator Diane Feinstein, U.S. Senate
- ◆ Pete Bontadelli, California Department of Fish and Game-Office of Spill Prevention and Response (a member of the MBNMS Work Group)

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- ◆ Capt. Harlan Henderson, U.S. Coast Guard, Captain of the Port, San Francisco MSO
- ◆ Capt. Ed Page, Chief of Marine Safety, U.S. Coast Guard, Pacific Area and 11th District
- ◆ Vice Admiral Collins, Commander, U.S. Coast Guard, Pacific Area and 11th District
- ◆ Rear Admiral Paul Blayney, Commander, U.S. Coast Guard 13th District
- ◆ William Travis, Executive Director, San Francisco Bay Conservation and Development Commission
- ◆ Bob Hight, State Lands Commission
- ◆ Lisle Reed, Minerals Management Service, Pacific OES Region
- ◆ Ed. Ueber, Superintendent Gulf of the Farallones and Cordell Banks National Marine Sanctuary
- ◆ Lt. Commander Ed Cassano, Manager, Channel Islands National Marine Sanctuary
- ◆ Leaders of County and Cities Bordering MBNMS
 - Harold Wolgamott, President, Association of Monterey Bay Area Governments
 - Dave Potter, Chair, Board of Supervisors, County of Monterey
 - Mary Griffin, Chair, Board of Supervisors, County of San Mateo
 - Gail Marshall, Chair, Board of Supervisors, County of Santa Barbara
 - Michael Ryan, Chair, Board of Supervisors, County of San Luis Obispo
 - Jan Beautz, Chair, Board of Supervisors, County of Santa Cruz
 - Daniel Albert, Mayor, City of Monterey
 - Celia Scott, Mayor of Santa Cruz
 - Harriet Miller, Mayor, City of Santa Barbara
 - Naomi Partridge, Mayor, City of Half Moon Bay
- ◆ Members of States/British Columbia Oil Spill Task Force
 - Jean Cameron, Executive Director
 - State of Washington – Tom Fitzsimmons, Department of Ecology, Spills Program
 - State of Oregon – Langdon Marsh, Department of Environmental Quality, Waste Management/Cleanup Division
 - British Columbia – Cassie Doyle, Deputy Minister, BC Ministry of Environment, Lands, and Parks, Resource Stewardship Branch
 - California – Pete Bontadelli, Administrator, California Dept. of Fish and Game, Office of Spill Prevention and Response
 - State of Alaska – Michele Brown, Department of Environmental Conservation, Division of Spill Prevention and Response
- ◆ West Coast States' Coastal Zone Management Agencies
 - State of Washington – Carol Fleskes, Program Manager, Shorelands and Water Resources
 - State of Oregon – Eldon Hunt, Coastal Ocean Program Manager, Dept. of Land Conservation and Development
 - State of Alaska – Ms. Dianne E. Mayer, Director, Div. Of Governmental Coordination
- ◆ Coastal States Organization, Inc.
 - Roger Schecter, Chairman
 - Tony McDonald, Executive Director
- ◆ Members of the Monterey Bay National Marine Sanctuary Vessel Traffic Management Work Group (MBNMS Work Group)
 - Mike Van Houton, U.S. Coast Guard, Co Chair of the MBNMS Work Group
 - Commander Rick Brunki, U.S. Coast Guard, Co-Chair of the MBNMS Work Group
 - Bill Douros, Superintendent, MBNM Sanctuary, Co-Chair of the MBNMS Work Group
 - Warner Chabot, Center for Marine Conservation
 - Ann Notthoff, Natural Resources Defense Council
 - Vicki Nichols, Save Our Shores
 - Karin Strausser-Kauffman, MBNMS Advisory Council (SAC)
 - Robert Miller, Pacific Coast Federation of Fishermen's Association (PCFFA)
 - John McLaurin, Pacific Merchants Shipping Association
 - Glen Kratz, Western States Petroleum Association
 - Alexander Kryzman, CA Association of Port Authorities
 - Gary Hallin, Port of Oakland, CA
 - Captain Kip Carlson, San Francisco Bar Pilots
 - Jerry McMahon, regional Director, American Waterways Operators (AWO)
 - Carl Benz, U.S. Fish and Wildlife
 - Randal Friedman, Department of the Navy