

CALIFORNIA COASTAL COMMISSION

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TO: Commissioners and Interested Public

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SUBJECT: **Monterey Bay National Marine Sanctuary (MBNMS) Vessel Management Work Group's Proposal for MBNMS Vessel Traffic Management Measures**

*Note: This briefing is to update the Commission on the MBNMS Work Group's activities. There is no action required by the Commission at this time. Under separate cover the Commissioners were mailed the report, **The Monterey Bay National Marine Sanctuary Vessel Management Workbook**, which was prepared by the U.S. Coast Guard and the MBNMS for the public workshops that were held in June 1998. Please refer to this companion document for more detailed information.*

SYNOPSIS

The Monterey Bay National Marine Sanctuary (MBNMS) holds some of our nation's most unique, sensitive and valuable coastal and marine resources. Vessel traffic within the MBNMS was a major issue of concern raised during the Sanctuary designation process in 1992. Currently there are no vessel routing regulations and very few vessel management rules governing the large commercial vessel traffic transiting through and adjacent to the Sanctuary boundaries. The risk of oil spill impacts to the coastal and marine resources of California and the MBNMS from vessel collisions and groundings has long been a concern to the Coastal Commission and to the people of California.

During the past year the Coastal Commission Oil Spill Program staff has been working with the Monterey Bay National Marine Sanctuary (MBNMS) and the U.S. Coast Guard (USCG) in the MBNMS Vessel Management Work Group (MBNMS Work Group)¹ to develop offshore vessel routing and vessel traffic management measures to increase the safe operation of the large commercial container ships, bulk carriers, auto carriers, barges, hazardous material ships, and oil tankers that transit through and adjacent to the boundaries of the Sanctuary.

¹ The Coast Guard and NOAA Administration convened the MBNMS Work Group in May 1997 and included key stakeholders representing federal, state, and local governments, environmental groups, and industry. The Coastal Commission Oil Spill Program, along with the Office of Spill Prevention and Response (OSPR), represented the State of California. Other members of the Work Group include: American Waterways Operators; Assemblyman Fred Keeley, Assemblyman Ted Lempert, California State Assembly; California Association of Port Authorities; Center for Marine Conservation; Congressman Sam Farr, U.S. House of Representatives; Friends of the Sea Otter; Mayor of Half Moon Bay; MBNMS Advisory Council; National Oceanic and Atmospheric Administration; Natural Resources Defense Council; Pacific Coast Federation of Fisherman's Associations; Pacific Merchant Shipping Association; San Francisco Bar Pilots; Save Our Shores; Council of American Master Mariners; U.S. Coast Guard; U.S. Fish and Wildlife Service; U.S. Navy; and Western States Petroleum Association.

A synopsis of the proposed vessel traffic management measures is provided below. This proposed package is planned to be implemented over the next 5 years through the International Maritime Organization, the U.S. Coast Guard, and through voluntary industry agreements. The OSPR and the Coastal Commission staff will work closely with the two lead federal agencies — the USCG and NOAA/MBNMS — to facilitate and expedite the implementation process. Table 1 (page 7) provides a more detailed explanation of the Benefits of the Proposed Vessel Traffic Management Measures in comparison to the Existing Vessel Traffic System. Figure 1 (page 3) illustrates the proposed vessel routes.

PROPOSED VESSEL ROUTING AND VESSEL TRAFFIC MANAGEMENT PACKAGE	
• Tankers	50 nautical miles (nm) offshore by Industry Agreement
• Barges	25 nm offshore by Industry Agreement
• Hazardous Material Carriers	25 nm offshore by internationally approved International Maritime Organization (IMO) Recommended Route measures
• Large Commercial Vessels	12–20 nm offshore by internationally approved IMO Recommended Route measures
• San Francisco and Santa Barbara Traffic Separation Schemes (TSS)	modified to accommodate the routing measures (modification has been pre-approved by IMO)
• Compliance and Monitoring System (voluntary):	Radio reporting system in place until international transponders for Automatic Information Systems (AIS) are standardized
• Rescue and Response Vessel System	identified
• Education Programs	expanded (e.g. expanded outreach to mariners)

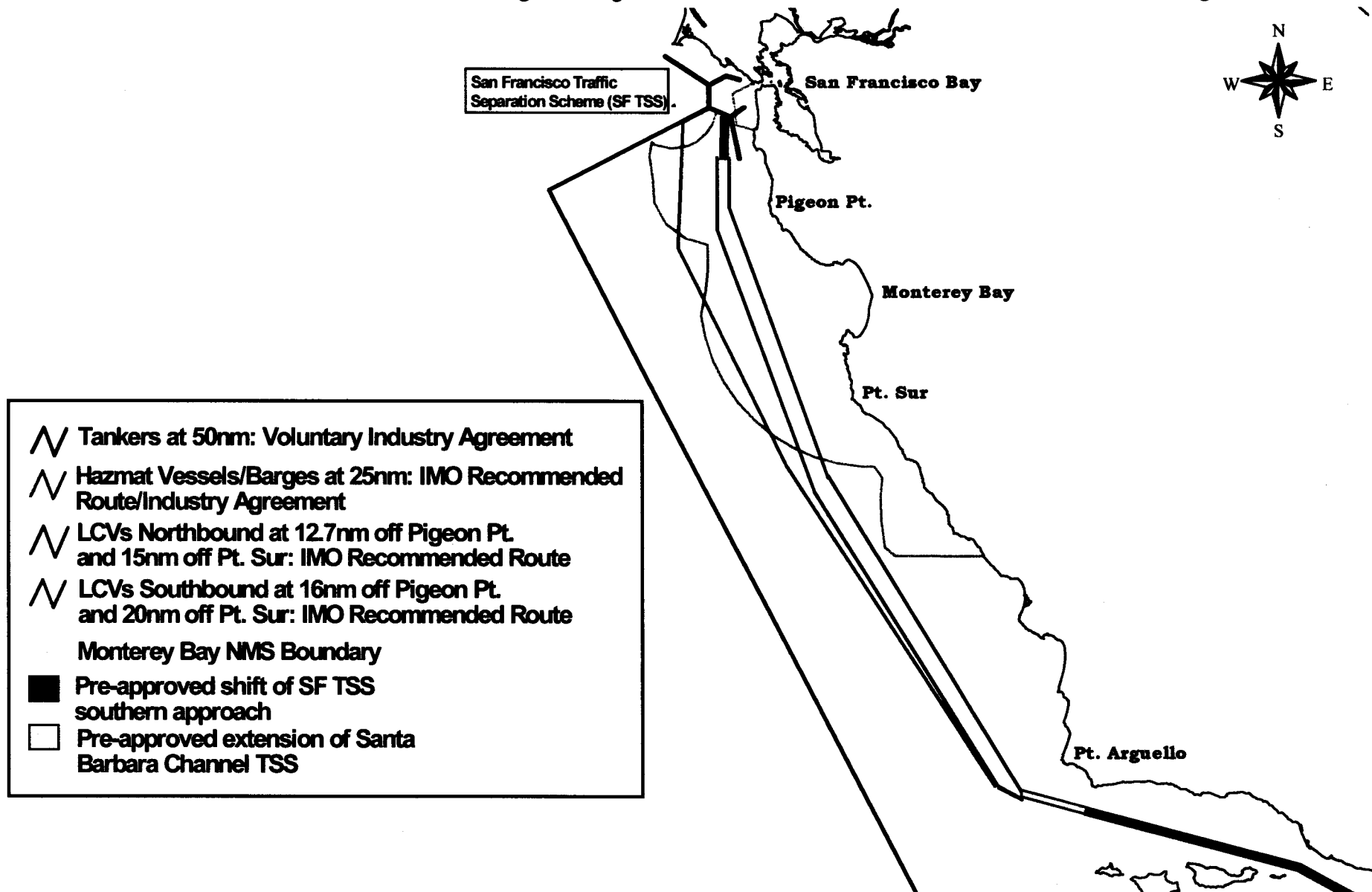
The major benefits of the MBNMS Work Group's proposed measures are:

- **This is a comprehensive traffic management system that will bring order and predictability to the routing of all the large commercial vessels transiting through the Sanctuary** — including the large container vessels, auto carrier ships, dry bulk carriers, barges, and hazardous material ships — and not just the tankers.
- **This package will move the Large Commercial Vessels (LCVs) (e.g., container, dry bulk carriers, vehicle carriers, etc.) further offshore to 12.7 NM and 20 NM.** LCVs currently transit, on average, between 4NM and 15NM, and come as close as 2.5 NM off some points of the coast (e.g., Pigeon Point, San Mateo County).
- **These measures, although voluntary, will create a formal traffic management system that will be internationally recognized and approved.** The Recommended Routes for the LCVs (e.g., container ships and dry bulk carriers) and the Hazardous Material Ships will be identified on the international nautical charts as internationally approved routes. The Recommended Routes and Vessel Transit Distances Offshore will be formally agreed to through formal international and national shipping protocols under the authority of the International Maritime Organization and the U.S. Coast Guard, and through formal Letters of Agreement with the Barge and Tanker Industries.
- **The proposed measures call for an internationally approved voluntary reporting and monitoring system for monitoring compliance.** Currently, there is little officially accepted reliable data on the actual commercial traffic patterns offshore. California will be able to gather consistent data from the proposed reporting and monitoring system to identify whether the international and U.S. vessels are complying with the voluntary routing and traffic management measures. If the evidence indicates non-compliance over time, California will have a strong case to pursue mandatory routing through the International Maritime Organization rulemaking process.

Figure 1

VESSEL TRAFFIC MANAGEMENT PROPOSAL

For the Monterey Bay National Marine Sanctuary



I. MBNMS VESSEL TRAFFIC MANAGEMENT : NEED FOR PROTECTION OF RESOURCES

A. Biological and Economic Significance of the Natural Resources

The MBNMS spans over 350 miles of California coastline. It includes 5,328 square miles of water off the central coast and extends as much as 50 miles offshore. It is the largest and most biologically diverse sanctuary in the United States. Twenty six types of marine mammals — including the threatened southern sea otter, ninety four species of birds, more than three hundred species of fishes, and an extremely diverse population of marine invertebrates are among the resources at serious risk from an oil spill from vessels.

The Sanctuary's natural resources are also vital contributors to California's economy. According to the California Research Bureau estimates, the total economic value of coastal based tourism and recreation in the counties bordering the MBNMS totaled \$2.3 billion 1992. In 1995, the mariculture and commercial fisheries in the MBNMS region generated \$33 million. Also, the Monterey Bay consortium of research institutions had a budget of \$100 million and employed 1,600 people in 1995.

The Sanctuary is also located in an area of critical importance to the conduct of maritime commerce. The waters within and adjacent to the Sanctuary are an integral link in the west coast vessel transit routes for large container vessels, vehicle carriers, bulk carriers, chemical carriers, hazardous material vessels, barges, and large crude oil tankers that bring cargo to California ports and other west coast ports. Commercial maritime commerce is a critical component of the regional and national economy. The Port of Oakland generates \$1.3 billion annually for the regional economy. One container ship can carry 2,500 containers, valued at \$1 billion in cargo.

The military is another important user of the waters offshore the MBNMS and the central coast of California. Military operations were a specifically recognized use cited in the Sanctuary legislature. Much of the MBNMS shares a boundary with, and in some instances includes active military ranges which run from the southern sanctuary boundary to Pigeon Point. Types of range use include fleet exercises, missile testing and launches, air operations, military satellite launches, and commercial space launches. Any vessel traffic management and routing measures must also consider the locations and activities of these current military ranges. For national security and safety reasons, the military is opposed to any routing measures which would increase vessel traffic numbers into the outer limits of their range areas, where the majority of their testing and launching activity occurs.

B. Vessel Traffic Patterns and Oil Spill Risks to the Natural Resources

Oil spills from large commercial vessel collisions and groundings represent a major threat to the sensitive and unique resources of the Sanctuary. There are approximately 4000 coastwise transits by large commercial vessels each year through or adjacent to the MBNMS. Approximately 20% of these coastwise transits are crude oil tankers. The majority of the remainder are large commercial vessels (LCVs) such as container ships and dry bulk carriers.

Recognizing that spills can potentially occur from any transiting vessel carrying crude oil, bunker fuel, or other hazardous material, the MBNMS Work Group focused its review and evaluation of

vessel traffic management alternatives on four major categories of commercial vessels: a) laden tankers carrying crude oil, black oil or other persistent liquid cargo in bulk; b) hazmat ships carrying hazardous material in bulk, including petroleum products; c) barges carrying oil or hazardous materials in bulk; and 4) large commercial vessels (LCVs) greater than 300 gross tons (e.g., bulk carriers, vehicle carrier, passenger ships, container ships, etc.). Vessels with smaller fuel capacity, such as fishing vessels and barges carrying non-hazardous materials, were not included, because they do not represent as major a threat of large oil spill impacts to the resources.

The WSPA Alaskan Trade oil tankers, which have an industry agreement with the State of California, travel outside the Sanctuary's boundaries, at a minimum distance of 50 nautical miles offshore. LCVs transit between 2.5 and 15 nautical miles offshore, barges transit approximately 15 to 25 nautical miles offshore, and hazmat ships transit approximately 25 to 50 nautical miles offshore. (Table 1 on page 7 provides more detail of current traffic system and a comparison to the Proposed Vessel Traffic Management Measures).

Worldwide statistics indicate tanker accidents represent the source of the largest oil spills. However, large commercial vessels (LCVs) (e.g. container ships, dry bulk carriers, auto carriers) represent the most frequent source of oil spills worldwide. LCVs and barges travel closer to shore, on average, than the majority of tankers. LCVs carry between 12,800 –19,200 barrels of bunker fuel, and therefore pose a significant risk of oil spill impacts to California's sensitive nearshore and shoreline ecosystems. Although, the historical record of spills for the Pacific Coast indicates that the total number of spills from transiting vessels is relatively small in number, the potential impacts to the coastal and marine resources can be significant given the volume of vessels and potential size of spills.

II. PROPOSAL FOR MBNMS VESSEL ROUTING AND TRAFFIC MANAGEMENT MEASURES

A. Proposal

The MBNMS Work Group's proposed set of vessel traffic management measures reflects a balance of factors combined to provide protection to the Sanctuary while minimizing the economic burden to the maritime industry, by reducing the risk of vessel groundings and collisions, and by increasing the safety of vessel operations. The distances offshore are based on analysis of the anticipated response time for existing rescue vessels. That is, if a vessel that follows the routing measures loses power or steering capabilities, it has a extremely high probability of being reached by a rescue vessel before it drifts ashore and creates a spill. Table 1 (page 7) provides a more detailed explanation of the Benefits of the Proposed Vessel Traffic Management Measures in comparison to the Existing Vessel Traffic System. Figure 1 (page 3) illustrates the proposed vessel routes and distance from shore.

B. Implementation

The MBNMS Work Group's proposed package of vessel management strategies will be implemented through a combination of international and national regulatory (e.g. USCG, NOAA) programs, and voluntary industry programs. At the international level, the International Maritime

Organization (IMO), is the internationally recognized authority for the establishment of international shipping and navigational laws and standards. IMO shipping rules and regulations apply to all vessels in international waters. For navigational purposes, international waters are defined as those waters seaward of 12 nautical miles.

The United States delegation to the IMO consists of 4 representatives: 1) Department of Transportation (U.S. Coast Guard); 2) Department of Commerce (NOAA/Sanctuary); 3) Department of State; and 4) Department of Defense. The U.S. IMO delegation member agencies must first approve any vessel routing or vessel traffic management proposal the U.S. takes to the IMO for international approval and implementation. The Department of Defense and Department of State are not inclined to approve mandatory routing measures, Areas To Be Avoided (ATBAs) for environmental protection reasons, or mandatory reporting requirements for national security reasons and the precedent these measures could set for other countries.

The industry agreements with the Tanker and Barge Industries can be implemented at the national level by the U.S. Coast Guard, and do not have to go through the IMO process. The State of California (OSPR and Coastal Commission) can begin to work immediately with the Coast Guard to get the industry agreements in place.

The time schedule for implementation of the various elements of the proposed package of vessel traffic management strategies is anticipated to take place over the next five years. However, some elements, such as the Recommended Routes, could take longer than five years to be implemented through the IMO process. The Automatic Information System, for reporting and compliance, has already been approved by the IMO and is scheduled to be a carriage requirement on all vessels by 2002.

The lead agencies for implementation are NOAA/MBNMS and the Coast Guard. OSPR will be the lead state agency working with the Coast Guard and the IMO. The Coastal Commission staff will be working closely with OSPR and with NOAA/MBNMS to facilitate the implementation process. The next steps in the implementation process are:

- Complete public workshops and receive public input..... by July 15, 1998
- MBNMS Work Group finalize proposed package of measures
incorporating public input August 1998
- Preparation of proposal, by NOAA/MBNMS and Coast Guard, for
submittal to Coast Guard's Navigational Safety Advisory Council..... September 1998
- Submittal of proposal by NOAA and Coast Guard to U.S. Delegation to
IMO (e.g. Dept. of Defense, Dept. of State, Coast Guard, and NOAA) January 1999
- Submittal of proposal by U.S. delegation to the IMO Spring (May) 1999
- Begin process for implementation of the industry agreements with the
Tanker and Barge Industries (OSPR and CCC begin to work with Coast
Guard immediately.)..... August 1998

TABLE 1

BENEFITS AND COMPARISON OF PROPOSED MBNMS VESSEL TRAFFIC MANAGEMENT MEASURES TO EXISTING VESSEL TRAFFIC SYSTEM

	EXISTING VESSEL TRAFFIC SYSTEM	PROPOSAL FOR VESSEL TRAFFIC MANAGEMENT	BENEFITS OF VESSEL TRAFFIC MANAGEMENT PROPOSAL
DISTANCE FROM SHORE/TRAFFIC MANAGEMENT IMPLEMENTATION			
Large Commercial Vessels (LCVs): (e.g. container ships, vehicle carriers, bulk carriers, freighters, passenger ships, non-hazardous cargo tankers)	<u>2.5 to 15 nautical miles (NM) offshore, northbound and southbound traffic</u> <ul style="list-style-type: none"> No formal agreements in place. No routes on charts. U.S. and Foreign LCVs free to travel any distance from shore. Typically travel between 4 and 15 NM, but some close as 2.5 NM. Choose the fastest route between LA and SF. 	<u>Offshore Pigeon Pt. San Mateo Cnty — 12.7 NM offshore (northbound); 16 NM (southbound) Offshore Pt. Sur. San Luis Obispo Cnty. — 15NM (northbound) 20 NM (southbound)</u> <ul style="list-style-type: none"> Recommended Routes Northbound and Southbound: internationally approved by International Maritime Association (IMO). Recommended routes will be on international nautical charts and will apply to all U.S. and foreign flag LCV vessels. 	<ul style="list-style-type: none"> Moves LCV traffic further offshore. Reduces risk of groundings. Provides a larger buffer zone of protection for coast in case of an oil spill. Separates northbound traffic from southbound traffic. Although Recommended Routes are voluntary, it has IMO voice of authority, i.e., vessels must give reason for not transiting in Recommended Route. Sets up voluntary industry partnership program.
Hazardous Material Vessels (Hazmat Vessels) (e.g. carrying bulk hazardous materials such as: explosives/munitions, ore concentrates, chemicals, LNG, refined oil products, distillates and other non-persistent liquid cargo)	<u>25 to 50 nautical miles offshore</u> <ul style="list-style-type: none"> No formal agreements in place. U.S. and Foreign hazmat vessels free to travel any distance from shore. Typically travel between 25 and 30 NM to avoid the LCVs closer to shore and the larger crude oil tankers further out. 	<u>25 nautical miles offshore</u> <ul style="list-style-type: none"> Recommended Routes: internationally approved by International Maritime Association (IMO). Routes will be on international nautical charts and will apply to U.S. and foreign flag vessels. 	<ul style="list-style-type: none"> Recommended Routes on charts establishes orderly transit corridor for hazmat vessels. Although Recommended Routes are voluntary, it has IMO voice of authority, i.e., vessels must give reason for not transiting in Rec. Route. Sets up voluntary industry partnership program.
Barges (e.g. carrying cargoes of oil or hazardous materials)	<u>15 to 25 nautical miles offshore</u> <ul style="list-style-type: none"> Free to travel any distance from shore. Typically travel approximately 15–25 NM offshore to avoid LCVs closer to shore and tankers further out. 25 NM is outer limit of transit routes due to barge's radar tracking capability and adverse effect of weather and outer ocean conditions on smaller barge size. 	<u>25 nautical miles offshore</u> <ul style="list-style-type: none"> Expand the existing Responsible Carrier Program Agreement into a national voluntary Industry Agreement between USCG and National Barge Associations. 	<ul style="list-style-type: none"> Majority of barge traffic is U.S. owned and domestic trade, so a successful U.S. voluntary industry agreement is feasible. Sets up voluntary national industry partnership program.

DISTANCE FROM SHORE/TRAFFIC MANAGEMENT IMPLEMENTATION			
Tankers (e.g. carrying crude oil, black oil or other persistent liquid cargo in bulk)	1. <u>Western State's Petroleum Association (WSPA) Alaskan Trade: Minimum 50 NM offshore</u> <ul style="list-style-type: none"> Formal Industry Agreement with California to stay minimum 50 NM offshore until first port of call. 2. <u>Foreign Tankers and Non-WSPA Tankers: Average 50 NM, but some tankers travel between 35 and 50 NM.</u> <ul style="list-style-type: none"> No formal agreement in place. Free to travel any distance from shore. 	<u>50 nautical miles offshore for all U.S. tankers and foreign flag tankers, not just WSPA.</u> <ul style="list-style-type: none"> Expand WSPA's current voluntary agreement with California to a national agreement with U.S. Coast Guard to include Intertanko Assoc. tankers and other non-WSPA tankers. Apply the voluntary Industry agreement to foreign tankers, both innocent passage and those calling at U.S. ports, by having the U.S. State Department send a formal letter to foreign tankers' flag state nation requesting them to honor 50 NM limit or face sanctions (known as a De Marche Letter). 	<ul style="list-style-type: none"> Current WSPA agreement has been successful. Good precedent for expanding the agreement to a national level. Sets up voluntary national industry partnership program.
TRAFFIC SEPARATION SYSTEM (TSS):			
SAN FRANCISCO TSS	<ul style="list-style-type: none"> The southern approach lane is approximately 6-7 nautical miles offshore San Mateo County. LCVs from the south are required to use the southern TSS approach lane to come into SF. Closeness to shore increases risk of grounding and increases risk of oil spill impacts to shoreline in event of oil spill. 	<ul style="list-style-type: none"> Shift the southern TSS approach lane slightly west to reduce the risk of vessel groundings to approximately 12.7 NM offshore Pigeon Pt., San Mateo County. 	<ul style="list-style-type: none"> The proposed TSS shift has already been approved by IMO previously, no need to go back to IMO. Only requires USCG to implement it. Moves the LCV traffic approaching SF from the south further offshore. Reduces risk of grounding. Provides additional buffer zone of protection for coast in event of oil spill. Lines up the SF TSS southern approach lane to dovetail into the Recommended Route at 12.7 NM off Pigeon Pt.
SANTA BARBARA TSS	<ul style="list-style-type: none"> The current TSS through the Santa Barbara Channel ends at Pt. Conception. 	<ul style="list-style-type: none"> Extend the Santa Barbara TSS approximately 18 miles to offshore Pt. Arguello. 	<ul style="list-style-type: none"> The proposed TSS shift has already been approved by IMO. Only requires USCG to implement it. The proposed extension would automatically shift the LCV vessel traffic coming out of Santa Barbara Channel to line up into the proposed Recommended Route for LCVs at 15 NM off Pt. Sur.

COMPLIANCE/REPORTING

LARGE COMMERCIAL
VESSELS (I.E., LCVs,
BARGES, HAZMAT
VESSELS, TANKERS)

- There is no compliance/monitoring/reporting database system in place for consistently tracking the number of vessels transiting the MBNMS or the distance offshore the vessels are traveling.
- The only vessel reporting systems in place are Vessel Traffic Systems at the approach to the San Francisco Bay and LAS/LB Harbors, which require vessels to report in at specified call in points at the approach lanes.
- All U.S. vessels in distress are required to call in to OSPR under state law and to USCG under federal law.

- Voluntary Reporting/Call in by radio until Automatic Information Systems (AIS) are available on vessels.
- Use of AIS when available. AIS is expected to be mandatory equipment requirement on all international vessels, under IMO rules, by 2003.

- The proposed reporting/monitoring and compliance system would expand the number of call in points to include additional vessel reporting/call in points off Pt. Arguello and Pt. Sur. This would enable the USCG and NOAA to notify the vessels that they are entering Sanctuary waters which have special sensitive resources.
- Although voluntary, the proposed compliance/reporting/monitoring system establishes a national tracking system that can be used for the first time to create a consistent long term database of the actual number of vessel movements and distance offshore by vessel type. If there is lack of compliance with the voluntary IMO recommended routes and industry agreements the database will provide evidence for California to pursue mandatory requirements through the IMO.
- The monitoring/compliance system will also be beneficial for identifying vessels that illegally dump oil byproducts in transit. OSPR will use the monitoring system in conjunction with satellite imagery surveillance to track down oil spill violators.

RESCUE/RESPONSE

- Currently the only identified network of rescue tugs/vessels exists inside the Port/harbors areas of SF Bay, LA/LB, Santa Barbara Channel, and Humboldt Bay.

- Develop Rescue Vessel Network to identify and track closest tugs, supply boats, or response vessels that could come to aid of disabled vessels.

- The proposed network would expand the rescue/response vessel network from SF and Santa Barbara Channel to extend rescue response capability along the Central Coast of California.

RESCUE/RESPONSE			
		<ul style="list-style-type: none"> No new tugs would be added to the Central Coast, instead a network system of registered available rescue and response vessels capable of towing/stabilizing disabled vessels would be implemented. 	<ul style="list-style-type: none"> For the first time, this would put into place an identified rescue vessel network system with an active register of participating rescue vessels by type and size and emergency call numbers. A voluntary Rescue Response Vessel Network, similar in concept to this system, has been successfully implemented in Puget Sound, Washington.
OTHER: NEAR MISS REPORTING AND EDUCATION OUTREACH			
NEAR MISS REPORTING	<ul style="list-style-type: none"> There is no state or national system for the reporting of "near misses" (almost accidents). 	<ul style="list-style-type: none"> Coast Guard implements the "near miss" reporting system it is currently developing at the national level. 	<ul style="list-style-type: none"> Creates a national system to report and analyze "near misses" to provide insight into potentially dangerous conditions.
EDUCATION OUTREACH	<ul style="list-style-type: none"> Public outreach to the maritime industry is a little information contained in the local Notice to Mariners. 	<ul style="list-style-type: none"> Coast Guard, NOAA, OSPR and CCC develop and distribute educational materials to maritime shipping industry which explains the sensitivity of Sanctuary resources and new vessel management strategies. 	<ul style="list-style-type: none"> Educational outreach to improve voluntary compliance with the proposed vessel traffic management measures.

III. ISSUES THE MBNMS WORK GROUP CONSIDERED AND WHICH AFFECTED THE DEVELOPMENT OF THE FINAL PROPOSED PACKAGE OF STRATEGIES

A. Why voluntary vessel traffic management and reporting measures and not mandatory measures?

- According to the USCG and navigational charts, the MBNMS is a deep-water area with no significant navigational safety risks. In general there is not a significant history of vessel oil spills or large vessel accidents offshore California, and even less of a history off the Central Coast of California. Designating traffic management schemes for environmental protection when there is a low risk of navigational risk is a new concept for the IMO that has just emerged in the last five years. It will be easier to get voluntary measures approved by the IMO for environmental protection than to get mandatory measures, especially in regions where there is not a large historical record of navigational problems or accidents.
- After NOAA achieved a recent victory in April 1998 and got mandatory reporting requirements for vessels entering the endangered right whale breeding grounds off of New England, the agency was informed that the Department of Defense (DOD) and Department

of State (DOS) representatives to the U.S. IMO delegation will not approve any additional mandatory ship reporting requirements for the purpose of environmental protection. DOD and DOS cited national security reasons and the precedent that could be set worldwide.

B. Why not make a tanker exclusion zone or designate the MBNMS as an Area to Be Avoided (ATBA). Washington State has a voluntary ATBA for tankers, why not try for one for the MBNMS? Or, why not make a Recommended Route for tankers, so tankers would have designated routes to follow like the LCVs and the Hazmat Ships and Barges?

- The IMO U.S. delegation is not favorable toward the designation of ATBAs or tanker exclusion zones when there is no navigational risk. According to the USCG and international shipping authorities there is no navigational risk at 50 nm offshore the MBNMS. In addition, for national security reasons, the Dept. of State and Dept. of Defense are concerned about the precedent it could set for other countries to create ATBAs off their coasts.
- The State of Washington has a voluntary ATBA for tankers around the Olympic Peninsula National Marine Sanctuary (OPNMS). That ATBA was created in large part for the protection of the OPNMS resources. However, it also had a small navigational risk at the northern tip of the ATBA along the transit into Puget Sound.
- The Washington tanker ATBA only goes out to 25 nautical miles, and is not the comprehensive vessel management system covering LCVs, barges, hazardous material ships, and tankers that is being proposed for the MBNMS. It would not have been feasible in Washington to have an ATBA keeping **all** commercial vessel traffic beyond 25 nautical miles offshore.
- In California, the Navy's major military testing ranges span parts of the MBNMS. For military reasons, it is not feasible to designate the Sanctuary as an ATBA and move **all** commercial vessel traffic 50 nautical miles or even 25 nautical miles offshore. The Navy is strongly opposed to anything but keeping the current traffic patterns with tanker traffic at 50 nautical miles or more offshore, and barges and hazardous material carriers/product carriers between 25 and 30 nautical miles offshore.
- Also, the IMO does not like to stack traffic routing measures on top of each other creating the effect of cutting up the ocean into boxes and/or routes, unless it is necessary for navigational safety. It would be extremely difficult, if not impossible, to get IMO approval for a comprehensive vessel traffic management system that designated Recommended Routes for tankers at 50 nautical miles (outside the MBNMS) and also designated Recommended Routes (inside the MBNMS) for LCVs, barges, and hazardous material carriers.

IV. CONCLUSION

These proposed vessel traffic management measures represent a working partnership among the industry, conservationists, and government agencies to create a balanced solution that is achievable and doable. These proposed measures provide protection for the coastal and marine resources of California and the Monterey Bay National Marine Sanctuary — by ensuring, safe, efficient, and environmentally sound maritime transportation.

At present there is no official system in place for managing the vessel traffic transiting through and adjacent to the Monterey Bay National Marine Sanctuary, with the exception of the Industry Agreement for WSPA tankers. Thus, all commercial vessels, except WSPA tankers, are free to travel any distance offshore the MBNMS and the central coast of California. Although voluntary, this proposed comprehensive vessel traffic management system, with Recommended Routes and Industry Agreements, has distinct benefits for managing traffic flow and moving the LCV traffic further from the coast into designated routes between 12.7 and 20 nautical miles offshore.

The proposed voluntary vessel traffic management measures and reporting requirements should improve vessel traffic safety, reduce the risk of an oil spill occurring in or near the MBNMS, and minimize any spill impacts to sensitive coastal resources and beaches in the event that a spill does occur. If this voluntary program is not successful, California could in the future use the monitoring/compliance data to seek mandatory routing and mandatory reporting/compliance system through the IMO rulemaking process.