

THE MONTEREY BAY NATIONAL MARINE SANCTUARY:
A HISTORIC PERSPECTIVE

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Sanctuary Reflections '93

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"IF YOU BUILD IT, THEY WILL COME"

(Field of Dreams)

When I addressed the first Monterey Bay Symposium in November of 1986, I had no idea of how far we would come in just seven years! Seven years may seem like a long time to some of you, but in government circles that is warp speed (Mach 3). Seven years is within a two-term President's tenure in the White House. Seven years is within the period of two national censuses, and the reapportionment of political districts. Even in scientific terms, seven years could go by between two major El Nino events, or could be the duration of a single drought in California.

Seven years ago I implored this group to start organizing and coordinating with each other. I suggested that the regulators and decisionmakers should start communicating. I said that those of us in government were like "ships passing in the night" and that "us bureaucrats" had better start signalling to each other.

Former Assemblyman Sam Farr's Monterey Bay Task Force had alot to do with improving communications. Assembly Concurrent Resolution 85 (ACR 85) brought state and local officials together to begin working on pollution issues in the Bay. I remember well the day, in 1985, when Jo Stallard, Alan Baldrige, Rachel Saunders and I got together over lunch to lay the plans for ACR 85.

At that time, you may recall, there were some serious problems around the Bay - - shellfish bed closures in Elkhorn Slough, a lead slag heap was discovered along the railroad bank near the Coast Guard Pier in Monterey, continuing high levels of pesticides in the Salinas River and agricultural drains, and on-going waste discharge violations at the Santa Cruz end of the Bay.

Scientists were urged to get out of their ivory towers and to get involved with Monterey Bay issues. The marine research community (UCSC, MLML, NPGS, HMS, MBARI, NOAA, etc.) started taking time from their busy schedules to attend meetings and participate on various working groups.

Environmentalists got organized and began to focus on major issues (rather than backyard matters) and joined in with government officials, scientists, and concerned citizens to put an agenda together and take a positive approach to solving problems around the Bay.

The combined efforts of all of these groups and individuals resulted in a successful study of "Chemical Contamination of Marine Fish in Monterey Bay", conducted by the State Department of Health Services and Department of Fish and Game. We discovered that fish in the Bay were not contaminated by chemical pollutants, as fish were found to be in Santa Monica Bay by a similar study. We actually changed the title of the report to "Monterey Bay Marine Environmental Health Survey: Health Evaluation." - - we wanted no mention of the word "contamination."

The final report was released in February, 1992 - - (a 5-year project.) This ultimate report helped to give Monterey Bay a "clean bill of health" and allowed for people around the country to refer to our Bay as still being "pristine".

I was quoted in the local press following the "Monterey Bay '91 Conference" saying "We have one of the cleanest bays in the country, if not the world." I believe that this "clean bill" proved to be invaluable in achieving Marine Sanctuary status for our coastal waters. The central coast of California was not "too far gone" to warrant federal protection - - there were still resources and amenities worth protecting!

Now, let's turn the clock back and get into some real history. Nearly 25 years ago (late 1960's when I was a student at Hopkins Marine Station) the Governor created the Monterey Basin Pilot Monitoring Project (MBPMP). Ronald Reagan was way ahead of his time in taking a "Basin" approach to water quality matters. [He made up for all that clear thinking when he went to Washington]. Now everybody is talking "watersheds", "ecosystems", and "integrated management."

A few of us here today (Walter Wong, Dick Nutter) served on MBPMP committees that looked at pollutants in air, water, soil, and biota, throughout the Salinas Valley and Monterey Bay environs. That effort brought together, for the first time, federal and state officials, scientists, and concerned citizens. It took over ten years to get the final report out of Sacramento, but it was a valuable exercise.

The citizens of the Monterey Bay area have been fighting to protect this pristine coastline for well over 25 years. In the mid-1960's, Humble Oil Company (now Exxon) proposed an oil refinery at Moss Landing, and the public said "No Way." In the mid-1970's, Pacific Gas and Electric proposed a Deepwater Port in the Bay for supertankers delivering fuel to the Moss Landing powerplant, and the public again said "No Way." Starting in 1975, the Bureau of Land Management (and later the Minerals Management Service) attempted OCS Lease Sale 53, 73, and then 119, and the public emphatically said "Over Our Dead Bodies."

And more recently there was a proposal to pipe selenium-laced wastewater from the Kesterson Reservoir to the Big Sur coast, and we all shouted " Absolutely not - - Forget It!"

All along, we were in effect saying, "this is a special place, you can't do that here."

I remember when Sam Farr sat on the Monterey County Board of Supervisors (you know this is ancient history now), and I represented Governor Brown on the Department of Interior's Outer Continental Shelf Advisory Committee. While attending a meeting in Washington, D.C. in 1976, I heard for the first time plans to lease oil and gas tracts off the Central Coast (Lease Sale 53). I had been through Lease Sales 35 and 48 in southern California, so I knew the significance of this announcement. I immediately called Sam, and the next day he reported this wonderful news to the Board of Supervisors.

Those early proposals, and all subsequent proposals to drill for oil, solidified the local opposition to federal leasing, and in the end led to the designation of the Monterey Bay National Marine Sanctuary, with the largest boundary. Year after year, it had been a holding action - - annual moratoria, with Leon Panetta holding the line in Congress. It bought time, and it finally paid off.

Recently, there was a great movie ("Field of Dreams")

about a guy (played by Kevin Costner) who had a dream that if he built a ballpark in his Iowa cornfield, some of the old famous baseball players [I think it was "Shoeless Joe Jackson" he was after] would show up and play a game ("If you build it, they will come"). Many of us had a similar dream - - that one day Monterey Bay and its adjoining waters would be protected by "sanctuary" status. On September 18, 1992, that dream finally came true, and we really didn't have to "build" a darn thing! We had a "sanctuary" all along; we had a "special" place; we had a "treasure"; all we had to do was sell it to Washington.

Webster's dictionary defines "sanctuary" as a consecrated place; the most sacred part of a religious building; a place for worship; or a place of refuge and protection. The central coast of California contained several such "sacred" places: starting in the north with the Fitzgerald Marine Reserve in San Mateo County; Ano Nuevo State Reserve near Santa Cruz; Elkhorn Slough Estuarine Research Reserve, near Moss Landing; and the the Point Lobos State Park on Carmel Bay. Experiencing the beauty and grandeur of a spot like Point Lobos, alone, is almost like being in a cathedral.

You really can not say enough about the incredible wealth of natural resources along the central coast, and adjoining waters. The diversity and abundance of species in the Monterey Bay area can be attributed in part to the location of the Bay within the broad transition zone between the cold water

Oregonian Province to the north and the warmer water California Province to the south. Not only do many northern and southern species coexist in the transition zone but there are also endemic species which seem to survive only in this zone.

When it comes to global biodiversity, this area is obviously no tropical rainforest, or coral reef, but for marine temperate waters, the counts are staggering (just consider these numbers):

- - over 450 of 669 species of algae described for California;

- - among the multitude of invertebrates, 725 species of molluscs alone;

- - 345 fish species (finding new ones in the Canyon);

[at the dedication ceremonies last year, the depth of the canyon grew with every speaker (1x,2x,3x as deep as the Grand Canyon! The geologists in the audience were starting to rise out of their seats and look to sea - - I saw a big smile on Dr. Griggs' face]

- - 94 seabirds;

- - 26 marine mammals;

- - 4 sea turtles.

All right here, in our own backyard! We didn't have to build a damn thing; it just took a little while to make our case, and then - - did they come!

Big dreams are not easy to come by; the Monterey Bay National Marine Sanctuary was fifteen years in the making. Starting back in 1977, California nominated Monterey Bay, along with nine other marine areas, for consideration as a National Marine Sanctuary. We are no longer talking "warp speed"; we are talking "snail's pace"! It's a good thing that I am a patient fellow, because it seems as if all of the major projects I have been involved in have taken most of my career to see through to fruition.

A few examples: I drafted the state's first strict oil spill liability bill in 1975, and we didn't get a comprehensive measure (Lempert-Keene Act) signed into law until 1990 (another 15-year project). I drafted the California Ocean Resources Management bill in 1982, which wasn't signed into law until 1989. If I start now on a Marine Policy Program for UC or CSU, maybe it will become part of the curriculum before the next millenium!

Sidebar:

Back in 1977, I sat on the State Coastal Commission, representing the Resources Secretary. At that time, we were going through the process of nominating an Estuarine Sanctuary for California. A Technical Advisory Panel considered Tomales Bay (including the Esteros Americano and de San Antonio), Tijuana River Estuary, Petaluma River Marsh, and Los Penasquitos, in addition to Elkhorn Slough. In 1978, the state had matching money for Elkhorn Slough, so that site was designated. Called an Estuarine "Sanctuary" in those days, the term carried a stigma, and the connotation made the commercial fishermen very nervous. Real or perceived, their concerns that fishing might be regulated, or prohibited, spilled over into discussions concerning a Marine Sanctuary.

[this issue entered the picture right at the height of final negotiations over the Marine Sanctuary regulations - - more on that in a minute]

Review History:

Back to the Marine Sanctuary - - After the state's nominations in 1977, NOAA selected three sites for further consideration: Channel Islands; Point Reyes-Farallon Islands; and the Monterey Bay area. In December 1978, NOAA released an Issue Paper on these three sites, presenting several boundary and regulatory options for each proposal. At that time, our area was referred

to as the "Monterey Bay-Big Sur Marine Sanctuary", running from Point Ano Nuevo, just north of Santa Cruz to Point Sur.

{In August of 1978, I was appointed to the Central Coast Regional Commission by Assembly Speaker Leo McCarthy}

Public hearings were held, and on August 10, 1979, based on the comments, NOAA declared all three sites as "active candidates".

{I was in Washington, D.C. at this stage of the history, so I missed alot of the local action - - Bob Knecht and I were wrestling with New England fishermen and oil companies over a proposed Georges Bank OCS Lease Sale, and talk of a Marine Sanctuary - - now Stellwagen}

1980 - - The Channel Islands, a 1652-square-mile area about 25 miles off the coast of Santa Barbara, was designated on September 21.

1981 - - On January 16, the Point Reyes-Farallon Islands Sanctuary (later renamed Gulf of the Farallones) was designated, protecting 1250-square-miles of diverse habitat for marine mammals and seabirds just west of San Francisco.

1983 - - ENTER THE DARK AGES - "Darth Watt" and Peter Tweedt, who tried to dismantle the entire Coastal Zone

Management Program and lease every inch of the Outer Continental Shelf for oil development!

Based on the existence of California's two other marine sanctuaries and the proposed area's "relatively large size", NOAA removed Monterey Bay from its list of active candidates (Fed. Reg. notice, Dec. 14).

[Read MPH Editorial (Dec. 29, 1983) - - "No Sanctuary Debate?"]

mid-1980s - - OCS moratoria.

1988 - - Thanks to Leon Panetta, under reauthorization of the Sanctuary Organic Act (MPRSA), NOAA was directed to designate Monterey Bay (by December 31, 1989) as a National Marine Sanctuary, a requirement that reinstated the site as an active candidate.

The rest is "recent history" - - in 1989, NOAA held "scoping meetings", followed by a Draft EIS and public hearings in Sept, 1990. Seven alternative boundaries and proposed regulations were considered. You all remember the turnout at those three public hearings! It took awhile to review all those public comments, and the Final EIS/Management Plan was not released until June, 1992.

[Poor Mark Murray-Brown was so swamped with the comments and the rewrite of the FEIS/MP, that he called me one day to ask for some help. He said that since I was "on-site", I could be help put together the water quality MOA and draft the jet ski regulations! - - this assignment turned out to be very sticky]

[Back to the public hearings - - Jo Stallard called for a Sanctuary from Alaska to Mexico (joke the other day about trade sanctions with China; Jo thought we were talking about the Sanctuary and said, "China, sure, why not?") - - Leon Panetta thought it was political suicide to push for the largest boundary alternative. Rote proposed "Arc" from Fitzgerald Marine Reserve to Elephant Seal colony at Gorda - - what did we know?]

There are always lingering questions (some unanswered questions) in any history - -

How did Jo Stallard know that George Bush would capitulate and give us Boundary #5; ban offshore oil drilling; and then pull out of the California campaign? How did she know all this? How did she know that we would be getting a "three-fer"??

There is much more to the story here than I have time to tell; let me just say that the Spring and Summer of 1992 saw some "high-power" wheeling and dealing. [I met secretly

several times with NOAA and state officials - - once in a hotel lobby in Sacramento with NOAA General Counsel Tom Campbell and Trudy Coxe]. I felt like a double agent on a few occasions. The Governor's people kept asking me, "who do you work for?" - - I still can't answer that question.

[tell commercial fishing/Scope of Regulations story - - "good friends in high places]

Key to the final deal was a letter that Governor Wilson (along with Sens. Cranston and Seymour, and Congressmen Panetta and Campbell) sent Commerce Secretary Mosbacher on October 9, 1991. They called for the largest boundary, but also requested that Sanctuary water quality regulations only apply to federal waters.

In an effort to coordinate waste discharge/water quality matters, the MOA was signed by NOAA, U.S. EPA, CAL-EPA, the two Regional Water Quality Control Boards, the Coastal Commission, and AMBAG. The MOA sets up a review and appeal process for NOAA and calls for the development of a Water Quality Plan. All signatory agencies agreed to work together to develop a comprehensive (point source and non-point source) "water quality protection program" for the Sanctuary. Implementation of this MOA, in my mind, is the highest priority for the program.

"If you build it, they will come", "Well, we did it and they came"! It seemed that half of Washington, D.C. came during 1992 to visit and experience our treasure. Now, only time will tell how much continued attention our area receives, and what it will mean for our "special" place.

That is where we've been. Now, let's find out where we are, and where we might be going.

Thank you.