
Issue 8: Harbor Exclusion**Comment****Issue Clarification**

Harbor exclusion from the Sanctuary boundary is supported, but should be discussed more completely in the FEIS/MP.

Harbor Redefinition

Exemptions exist for routine anchoring, fishing, navigation, and harbor maintenance. Why are harbors excluded and not exempt?

One harbor in the study area has jurisdiction extending past the jetty system and encompassing the Federal navigation channel. The harbor exclusion area should be redefined to allow internal harbor management and entrance responsibilities, including dredging.

NOAA Response**Issue Clarification**

The FEIS/MP includes a specific section on harbors. Pillar Point, Santa Cruz, Moss Landing (except waters, and submerged lands thereunder, of Elkhorn Slough east of the U.S. Highway One bridge to the boundary of the Elkhorn Slough National Estuarine Research Reserve), and Monterey Harbors are not part of the Sanctuary. In addition, existing activities that occur within the Sanctuary related to the maintenance of the harbors, such as dredging entrance channels and repairing breakwaters, have been exempted from the Sanctuary prohibitions.

Harbor Redefinition

NOAA chose to exclude the harbor areas discussed above from the Sanctuary boundary because they do not possess resources and qualities warranting Sanctuary protection and the nature and level of activities conducted in these harbors are not appropriate for inclusion within a national marine sanctuary.

Harbor maintenance activities that are within the Sanctuary are exempted from the specific regulatory prohibition impacting their use. Dredging of harbor entrance channels, the placement of navigational aids, and construction of docks and piers are exempted from the Sanctuary prohibitions.