

## Conservation Working Group

October 21, 2003

9:30 – 12:00

Meeting minutes

### **CWG Members attending:**

Kaitilin Gaffney, The Ocean Conservancy (TOC), Chair  
Holly Price, Monterey Bay National Marine Sanctuary (MBNMS)  
Mike Osmond, World Wildlife Fund (WWF)  
Erin Simmons, Oceana  
Steve Shimek, The Otter Project  
D'Anne Albers, Friends of the Sea Otter (FSO)  
Fleur O'Neill, Save Our Shores (SOS)  
Jane De Lay, SOS  
Lydia Bergen, Partnership For Interdisciplinary Studies of Coastal Oceans (PISCO)  
John Fisher, At-Large  
Dave Zaches, At-Large  
Carol Maehr, American Cetacean Society  
Katie (???)

### **Special Dates and Announcements**

Glacier Bay National Park just released its revised management plan that includes a policy on cruise ships visiting the Park. The full report is available on the Glacier Park website at <http://www.glbsa.ene.com/files/FEIS/ExecSummary/text.pdf>

### **Sanctuary Report**

Holly Price, Resource Protection Coordinator, provided the following update on Sanctuary activities:

- 1) The Sanctuary Visitors Center will be located at the Fun Spot in Santa Cruz. The location provides a popular place to attract visitors while providing the Sanctuary with its own identity. The Sanctuary is currently looking for a fundraising agency to raise the money needed to construct and operate the visitors' center.
- 2) The MBNMS research team is working with CAL TRANS to identify sensitive habitats along Highway 1 that would suffer significant impacts from landslides and/or other debris generated from construction along Highway 1. The knowledge will allow the Sanctuary and CALTRANS to reduce negative impacts from highway related activities to the intertidal zones along the coast.

The team also participated in a research cruise to investigate, among other projects, the *Montebello*, a ship that was sunk off the coast of Cambria during World War II. The ship contained a large amount of thick oil when it was sunk, and the team wanted to assess any oil leaks or threats from the wreck. The vessel was found intact, and the oil has jelled, reducing any imminent threat from leaks. The MBNMS will continue to periodically monitor the wreck.

- 3) Pt. Piños Tidepool Study. The Monterey Bay Sanctuary Foundation commissioned a study to compile historical data on the Pt. Piños tidepools and to compare the status of heavily visited tidepools with less popular sites. The report found the tidepools to be healthy and did not detect significant differences between the heavily visited sites and the non-visited ones. The Sanctuary

determined that they are not in a crisis state, but that education about tidepool etiquette should continue.

4) Volunteers participating in the Citizen Monitoring Program are preparing for “First Flush”. Bridget Hoover is coordinating the region-wide effort. On a related note, the citizen-monitoring program has been conducting upstream monitoring with interesting and, sometimes unexpected, success at identifying sources of non-point source pollution. Two examples shared with CWG members included:

- ✓ High loads of chlorine were detected, which led to the discovery that a Pacific Grove school was illegally dumping into the storm drain;
- ✓ Volunteers detected high loads of coliform in the upstream storm drain, but the storm drain was clean where it emptied into the Sanctuary. They discovered that the water passes through a Eucalyptus Grove on its way downstream, and that Eucalyptus appears to eliminate the coliform bacteria.

5) Desalination projects are moving forward in the Sanctuary. CWG members are asked to stay informed and current on the topic. Brad Damitz, at the Sanctuary office, is the main contact on desalination, coastal erosion, and cruise ship pollution.

6) Joint Management Review Process (JMPR). The Sanctuary Advisory Council approved the Action Plan for Motorized Personalized Watercraft (MPWC) at its October meeting in Cambria. The final decision was to allow MPWC in the established zones, to allow the tow-in at the Mavericks competition and for practice during specific high-wave conditions. The SAC opposed the proposal to allow the formation of a private rescue patrol.

The Working group for Special Marine Protected Areas also met again and was able to reach ‘Level 3’ consensus on the action plan and its goal statement. The work group also agreed to continue meeting early in 2004.

### **Sea Otter Legislation**

The Southern Sea Otter Research and Recovery Act is in its final form and it is expected to be introduced to the House of Representatives on November 18.

### **State Legislation**

The following legislation may of interest to CWG members:

#### **SB 923 (Sher) –Water quality: waivers. Addresses non-point source pollution**

[http://www.leginfo.ca.gov/pub/bill/sen/sb\\_0901-0950/sb\\_923\\_bill\\_20031011\\_chaptered.html](http://www.leginfo.ca.gov/pub/bill/sen/sb_0901-0950/sb_923_bill_20031011_chaptered.html)

*“Existing law, the Porter-Cologne Water Quality Control Act, provides that a regional board may waive certain waste discharge requirements for specific discharges or specific types of discharges if the waiver is not against the public interest. The act provides that the waivers are subject to conditions.*

*This bill, instead, would authorize the state board or a regional board to waive those waste discharge requirements if certain requirements are met. The bill would require the conditions of the waivers to include, with certain exceptions, the performance of individual, group, or watershed-based monitoring duties. The bill would authorize the state board or a regional board to include as a condition of the waiver the payment of an annual fee. The bill would require the funds generated by the payment of the fee to be deposited in the Water Discharge Permit Fund for expenditure, upon appropriation, by the state board or the appropriate regional board to establish and implement the waiver program. The bill would require the state board or regional board to provide notice regarding the adoption of a waiver.”*

**SB 810 (Burton) – Natural resources: timber harvesting**

[http://www.leginfo.ca.gov/pub/bill/sen/sb\\_0801-0850/sb\\_810\\_bill\\_20031012\\_chaptered.html](http://www.leginfo.ca.gov/pub/bill/sen/sb_0801-0850/sb_810_bill_20031012_chaptered.html)

*“(3) This bill would prohibit a timber harvesting plan from being approved if the appropriate regional water quality control board finds, based on substantial evidence, that the proposed timber operations will result in a discharge into a watercourse that has been classified as impaired due to sediment, that causes or contributes to a violation of the regional water quality control plan. This bill would provide that a regional water quality control board may delegate that authority to the board's executive officer as long as the executive officer's determination is subject to review by the board upon request of the person that has submitted the timber harvesting plan or upon motion of the board.”*

**SB 1548 (Pavley) – Environmental Education in the schools**

[http://www.leginfo.ca.gov/pub/bill/asm/ab\\_1501-1550/ab\\_1548\\_bill\\_20031003\\_chaptered.html](http://www.leginfo.ca.gov/pub/bill/asm/ab_1501-1550/ab_1548_bill_20031003_chaptered.html)

*“Existing law establishes the Office of Integrated Environmental Education within the Integrated Waste Management Board, and requires the office to develop and implement a unified education strategy on the environment for elementary and secondary schools. This bill would repeal those provisions and, instead, establish the Office of Education and the Environment with similar duties. The bill would require the Office of Education and the Environment to report to both the Secretary for Environmental Protection and to the board.*

*This bill would require the office to develop education principles for the environment for elementary and secondary school pupils by July 1, 2004, as prescribed. The bill would require the office to develop a model curriculum incorporating these principles and to submit the model curriculum for consideration and approval, as prescribed.*

*The bill would require the State Department of Education to incorporate the materials developed by the office into prescribed publications, and would require the State Department of Education to make the curriculum available electronically. The bill would require the office to coordinate with all state agencies, as prescribed.*

*Existing law requires school district governing boards, when adopting instructional materials for use in schools, to include only materials that accurately portray prescribed conditions. This bill would, in addition, require the governing boards, when adopting instructional materials to include only materials that accurately portray the educational principles for the environment, thereby imposing a state-mandated local program.*

*This bill would establish the Environmental Education Account and would authorize deposit of funds from prescribed sources for expenditure for the purposes of this bill, upon appropriation by the Legislature.”*

**Cruise Ship Legislation Update: AB 471 (Simitian, Laird, and Nakano)**

Although two cruise ship pollution bills were signed into law by Governor Davis in September, efforts will continue to strengthen protection from waste generated by the industry. Specifically, *Bluewater Network* is working with Assembly member Simitian to re-introduce AB 471 requiring that cruise ships burn a low sulfur fuel to reduce air pollution. Additional focus will be on strengthening the reporting requirements as well as prohibiting discharges of sewage sludge and gray water.

**Federal Legislation - Energy Bill and OCS**

Though the moratorium on offshore oil drilling and exploration is still in effect, there have been efforts to undermine the moratorium in the proposed energy bill by calling for an “inventory” of potential oil resources in OCS areas.

**Future meetings**

The next CWG meeting is scheduled for November 18, from 9:30–11:30 at Moss Landing Harbor Office.