

# CMANC

CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

*To promote the operation, maintenance and improvements of California harbors, ports and navigation projects that demonstrate responsible stewardship and benefit the regional and national economy*

CMANC is a consortium of California harbors, ports and marine interest groups. The vision of CMANC is that California ports and harbors are an integrated system, recognized and supported as the gateway to national commerce and international trade. CMANC works with the California congressional delegation and legislature to ensure that California's maritime interests are supported by the federal and state government to the greatest extent possible.

CMANC members' common interests include:

- Support for the operation, maintenance and improvement of California harbors, ports and navigation projects that -
  - o demonstrate responsible stewardship
  - o benefit the regional and national economy
- Regional sediment management policies that value rational and beneficial reuse
- Holistic inter-agency regulatory programs that avoid duplication

These interests recognize the importance of California's ports and harbors to the nation while benefiting the environment and well-being of California's citizens

## CMANC's Current Issues

Full expenditure of the Harbor Maintenance Tax for its intended purpose;  
 Passage of Water Resources Development Act of 2013;  
 More efficient Water Resource project execution;  
 Development of a National Freight Policy  
 Proactive in National Marine Sanctuaries Act Reauthorization;  
 Support for adaptive management of coastal resources;  
 Support for working waterfronts;  
 Encourage policies that provide for sustainable goods movement in California.

## Board of Directors

<i>Jay Ach</i>	<i>Port of San Francisco</i>
<i>Deborah Berg</i>	<i>Berg &amp; Associates</i>
<i>Chris Birkelo</i>	<i>Oxnard Harbor District</i>
<i>Drew Brandy</i>	<i>Port San Luis</i>
<i>Len Cardoza</i>	<i>URS</i>
<i>Mike Christensen</i>	<i>Port of Los Angeles</i>
<i>Tim Dunne</i>	<i>Fugro West</i>
<i>Bill Dutra</i>	<i>The Dutra Group</i>
<i>Cesar Espinosa</i>	<i>L.A. County, Beaches &amp; Harbors</i>
<i>Brian Foss</i>	<i>Brian Foss &amp; Associates</i>
<i>Roberta Goulart</i>	<i>Solano County</i>
<i>Peter Grenell</i>	<i>San Mateo Co. Harbor District</i>
<i>Jim Haussener</i>	<i>CMANC</i>
<i>Jay Jahangiri</i>	<i>WorleyParsons Group</i>
<i>Lyn Krieger</i>	<i>Channel Islands Harbor</i>
<i>David Libatique</i>	<i>Port of Los Angeles</i>
<i>Jim McNally</i>	<i>Manson Construction</i>
<i>Imee Osantowski</i>	<i>Port of Oakland</i>
<i>Richard Parsons</i>	<i>Ventura Port District</i>
<i>Frank Quan</i>	<i>City of Oceanside</i>
<i>Rick Rhoads</i>	<i>Moffatt &amp; Nichol</i>
<i>Tom Scheeler</i>	<i>Hatch Mott McDonald</i>
<i>Steve Schieblauer</i>	<i>City of Monterey</i>
<i>Don Snaman</i>	<i>Port of Redwood City</i>
<i>Doug Thiessen</i>	<i>Port of Long Beach</i>
<i>Jeff Wingfield</i>	<i>Port of Stockton</i>



# CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE



**Attendees, March 20 & 21, 2013**

<b>Name</b>	<b>Agency/Firm</b>
Jay Ach	Port of San Francisco
Dan Allen	Moffatt & Nichol
Richard Aschieris	Port of Stockton
Drew Brandy	Port San Luis Harbor District
Grady Bryant	Gahagan & Bryant Associates
Greg Carson	Ventura Port District
Mike Christensen	Port of Los Angeles
John Coleman	Bay Planning Coalition
Jack Crider	Humboldt Bay Harbor District
Kristin Decas	Port of Hueneme
Dick Dodge	Port of Redwood City
Denise Dutra	The Dutra Group
Lisa Ekers	Santa Cruz Port District
Eric Endersby	City of Morro Bay
Cesar Espinosa	Los Angeles County, Department of Beaches and Harbors
Mike Giari	Port of Redwood City
Robera Goulart	Solano County
Bill Hanson	Great Lakes Dredge & Dock
Jim Haussener	CMANC
Jess Herrera	Port of Hueneme
Jason Hodge	Port of Hueneme
Jamie Irons	City of Morro Bay
Jay Jahangiri	WorleyParsons Group Inc.
Lorianna Kastrop	Port of Redwood City
Lyn Krieger	Ventura County Harbor Department
Isaac Kos-Read	Port of Oakland
David Libatique	Port of Los Angeles
R J Lyerly	Carpi Clay & Smith
Steve McGrath	Port San Luis Harbor District
Clay Nichol	Moffatt & Nichol
Richard Parsons	Ventura Port District
Oscar Peña	Ventura Port District
Stephen Reed	Santa Cruz Port District
Steve Scheiblaue	City of Monterey
Mike Wilson	Humboldt Bay Harbor District
Jeff Wingfield	Port of Stockton

**CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE**  
**March 20-21, 2013**



**Important Phone Numbers**

**Carpi Clay & Smith (202) 822-8300**  
**Jim Haussener (925) 828-6215 (Text)**  
**RJ Lyerly Cell (202) 498-5011**

***PICTURE ID REQUIRED OR NO ADMITTANCE AT MOST MEETINGS***

**AGENDA:** To discuss international trade through California, contributions to the National Economy, benefits of civil works to the environment, and recognition of California ports and harbors in budgeting priorities.

**Tuesday, March 19**

**5:30 – 7:00pm** Welcome reception – Phoenix Park Hotel, Powerscourt Rm., 2<sup>nd</sup> Floor

**Wednesday, March 20**

**8:00am** Continental Breakfast – Phoenix Park Hotel

**8:15am** Program Review, **R J Lyerly**, Carpi Clay & Smith

**8:30am** **Jack Wells**, Director of Economic & Strategic Analysis, DOT

**9:00-9:30am** **Tim Reif**, General Counsel, U.S. Trade Representative

**10:30am** Arrive at Corps for speaker presentations, luncheon  
**Steve Stockton**, Director of Civil Works; **Mark Mazzanti**, Chief Civil Works Program Integration Division; **Jim Hannon**, Chief of Operations Division; **Tab Brown**, Chief of Planning Division; **Bradd Schichtenberg**, Deputy Chief, Regional Integration Team; & **Jeff McKee**, Navigation Business Line Manager

**2:00pm** **Chair Nancy Sutley**  
**White House Council on Environmental Quality**  
722 Jackson Place NW First Floor Conference Room

**4:00** **Senator Dianne Feinstein**  
331 Hart

**5:30pm** **Golden State Reception**  
Rayburn Gold Room 2168

**Thursday, March 21**

- 8:00am Continental Breakfast – Phoenix Park
- 8:30am **Jim Walker**, Director of Navigation Policy and Legislation, AAPA
- 9:00-9:45am Guest Speakers: **Helen Brohl**, Executive Director, Committee. on Marine Transportation System, and **David Murk**, Captain, U.S. Coast Guard and Senior Maritime Safety & Security Advisor to the Transportation Department
- 11:00am Luncheon and speaker presentations  
**Assistant Secretary of the Army for Civil Works, the Honorable Jo-Ellen Darcy**  
**Congresswoman Janice Hahn**  
**John Anderson**, Staff Director, House Water Resources and Environment Subcommittee of the Transportation & Infrastructure Committee  
**Sally Ericsson**, Principal Assistant Deputy for Natural Resources Program, Office of Management and Budget
- 3:00pm **Roger Cockrell**, Professional Staff  
Senate Appropriations Subcommittee on Energy & Water  
**Lynn Abramson, Ph.D.**, Senior Legislative Assistant for Sen. Barbara Boxer  
**Tyler Rushforth**, Counsel for the Senate Committee on Environment & Public Works  
**Matt Nelson**, Legislative Assistant for Sen. Dianne Feinstein
- 4:15pm **Michael Masserman**, Executive Director for Export Policy & Director of the President's National Export Initiative for Commerce; **Carlos Montoulieu**, Deputy Assistant Secretary for Services; **David Long**, Director of the Office of Service Industries;  
**Eric Schwaab, NOAA**, Assistant Secretary for Conservation & Management  
**Katya Wowk**, National MPA System Policy Specialist, and **Henry DeBey**, Affiliate  
1401 Constitution Ave NW, Room 4830



# Investing in California Ports and Harbors is an Investment in America



Over **40%** of waterborne trade goes through California ports.  
This trade has financial impacts to the state and national economies.



## IMPACT OF TRADE

Creates **1.6 Million** Jobs  
Federal Revenue - **\$10 Billion** per year  
GDP - **\$57 Billion** per year  
Personal Income - **\$30.5 Billion** per year

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CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE



POSITION OF CALIFORNIA'S PORTS AND HARBORS  
ON THE  
HARBOR MAINTENANCE TAX & HARBOR MAINTENANCE TRUST FUND

CMANC

CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

**California Ports and Harbors are crucial to the nation's economic well-being and security. They also are at the forefront of protecting coastal and ocean waters for future generations and species. To those ends, the California Marine Affairs and Navigation Conference memorializes its position of:**

- **We support full utilization of Harbor Maintenance Tax (HMT) revenues for its intended purposes.**
- **We support prioritization of HMT funds for use on traditional Operations and Maintenance (O&M) purposes, including maintenance of federal navigation channels, disposal sites, and breakwaters/jetties/groins.**
- **Further, we do not support use of HMT funds for landside projects or new in-water projects (i.e. Construction-General, widening, or deepening).**
- **We support equitable return of HMT funds to Donor States. The system of ports and waterways within these states create a large share of the Harbor Maintenance Trust Fund. A fair share of return to these systems ensures stronger HMT revenue collection in the future and provides returns to the shippers that pay HMT.**
- **The cost-share formula for maintenance should be reflective of the current cargo fleet.**



## Harbor Maintenance Tax Revenues and Expenditures

Year	Collected	Spent	Not Spent
2005	\$1,048.0	\$716.0	\$331.0
2006	\$1,207.0	\$705.0	\$501.0
2007	\$1,262.0	\$757.0	\$505.0
2008	\$1,467.0	\$787.0	\$680.0
4-year totals	\$4,984.0	\$2,965.0	\$2,017.0

Only 60% of funds collected are spent on their intended use!

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A breakdown of collections in 2007

San Diego Region	\$9.0
Los Angeles Region	\$351.1
San Francisco Region	\$47.9
Total Collected in California	\$408.0
Total National Collections	\$1,262.0

California contributes **32%** of National HMT Revenues

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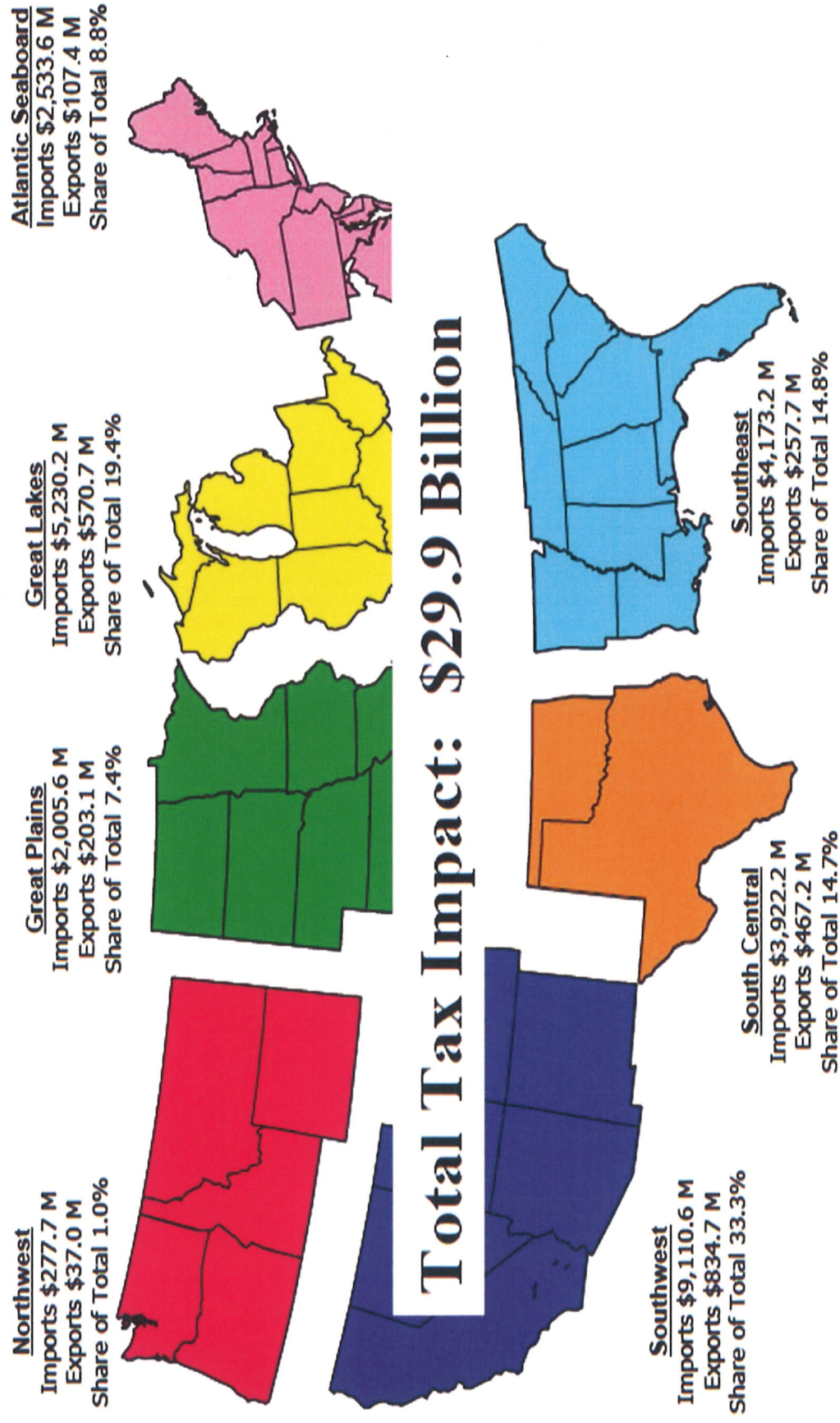
Expenditures vary annually: the average in the four years 2005 to 2008 was \$43.8 million in California vs. \$764 million nationally.

California receives **3.5%** of National HMT Revenues

(In Millions)

# Regional and National Revenue Impacts

Figure 4 – Taxes Related to Trade Flowing Through  
the Ports of Los Angeles and Long Beach, FY2008







# PRINCE RUPERT PORT AUTHORITY

LINKING A WORLD OF OPPORTUNITY

FOR IMMEDIATE RELEASE

## **\$15 Million Investment by Government of Canada Accelerates Gateway Development at Port of Prince Rupert**

PRINCE RUPERT, BC, February 23, 2012 — During a waterfront gathering at noon today, the Honourable Ed Fast, Minister of International Trade and Minister for the Asia-Pacific Gateway, announced that the Government of Canada will be contributing \$15 million to the Port of Prince Rupert's



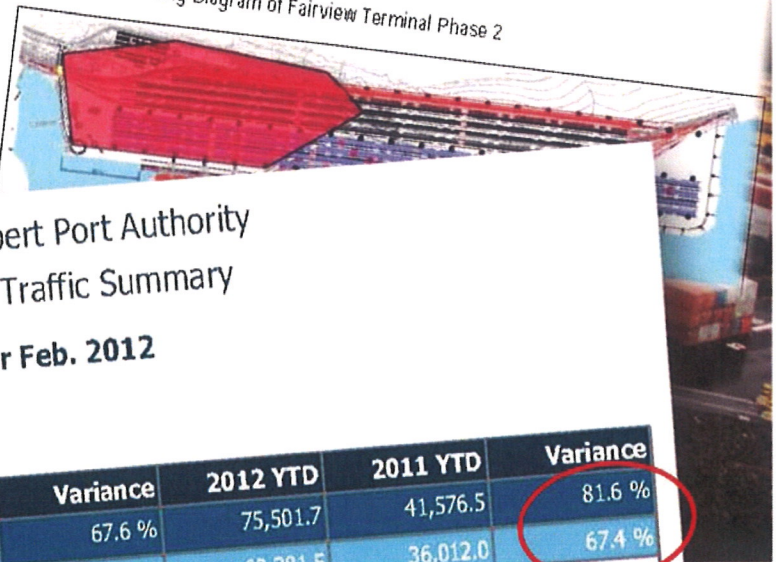
## **AT RISK: Tens of Thousands of Well-Paying U.S. Jobs & Tens of Millions of U.S. Tax Dollars thru Cargo Diversion**



### 7.6.1 The Site

The site of the proposed terminal is shown in Figure 7-2 below. The red area in the diagram depicts the existing Prince Rupert container terminal. The extension will quadruple the capacity of the facility to two million TEUs per year and significantly increase its size. The facility will be able to store almost 30,000 TEUs on site, stacking them five high.

Figure 7-2: Planning Diagram of Fairview Terminal Phase 2



### Prince Rupert Port Authority Monthly Traffic Summary For Feb. 2012

#### Containerized Cargo TEU Summary

	Feb 2012	Feb 2011	Variance	2012 YTD	2011 YTD	Variance
<b>TOTAL</b>						
Total TEUs	31,023.8	18,506.3	67.6 %	75,501.7	41,576.5	81.6 %
Loaded TEUs	25,739.5	16,752.8	53.6 %	60,281.5	36,012.0	67.4 %
	2,611.0	1,480.0	76.4 %	6,719.0	3,091.0	117.4 %



# Maersk says to invest \$900 mln in Mexico terminal

Thu, Dec 29 2011

COPENHAGEN, Dec 29 (Reuters) - The port terminals arm of Danish shipping and oil group A.P. Moller-Maersk plans to invest \$900 million in a new container facility at Mexico's port of Lazaro Cardenas, the company said on Thursday.

The Lazaro Cardenas port authority chose Maersk's APM Terminals unit as the winner of its deepwater container terminal bid and awarded it a 32-year concession of a greenfield site for the new terminal, APM Terminals said in a statement.

(Reporting by John Acher)



**AT RISK: Tens of Thousands of Well-Paying U.S. Jobs & Tens of Millions of U.S. Tax Dollars thru Cargo Diversion**

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## BLOGS

### Lazaro Cardenas is a port worth watching

By Patrick Burnson, Executive Editor  
January 09, 2012

As if U.S. West Coast ports didn't have enough to worry about, a new competitor is surfacing South of the Border to challenge them.

Canadian and U.S. East Coast ports have been taking business away from LA/Long Beach, Seattle/Tacoma, and Oakland for several years now. Analysts suggest that there is a number of

Read What's  
World Container  
In Asia/EU trade  
INTTRA may be  
contracting  
Ports of Seattle  
Transpacific car  
rates  
CEVA CEO looks  
revenue in 2011  
Port Tracker report





## CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

Project	FY 2012 Work Plan	FY 2013 President's Budget	FY2013 C-MANC Recommendations	FY 2013 House	FY 2013 Senate Committee	FY2014 C-MANC Recommendations	FY 2014 - Purpose of Funding
<b>Potential NewsShoreline Protection Studies</b>							
Coast of Northern California			100			100	Initiate Feasibility
Port Hueneme Breakwater & Shore Protection			100				Initiate Feasibility
<b>Shoreline Protection Studies in Progress</b>							
California Coastal Sediments Masterplan	861	900	900	900	900	1200	Continue Study
Carpinteria Shoreline Study						non-member	
Coast of CA, South Coast Region (L.A. County)	80		200			248	Continue Study
Ocean Beach, CA							non-member
San Clemente Shoreline							Moved to PED
San Diego County Shoreline			1320			1317	Complete Study
South San Francisco Bay Shoreline Study	353						non-member
Solana-Encinitas Shoreline	173					16	Complete Study
Ventura and Santa Barbara Counties Shoreline			800			800	Continue Study
<b>Environmental Restoration Studies</b>							
Ballona Creek, Ecosystem Restoration			776			0	Study being closed out
Bolinas Lagoon Ecosystem Restoration							non-member
East San Pedro Bay Eco Rest Study			1000			1000	Continue Study
Newport Bay, San Diego Creek Watershed							
Orange County Shoreline, Lower Santa Ana							Inactive Study
Southern California Wetlands Restoration							Inactive Study
<b>Potential New Navigation Studies</b>							
Humboldt Bay - Long Term Shoal Management			500				Inactive
Huntington Harbour Shoreline			600			0	Inactive Study
<b>Navigation Studies in Progress</b>							
Arana Gulch Watershed			100			100	Continue Study
Redwood City Harbor (Deepening)	400		810			1,500	Continue Study & DEIS

## CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

Project	FY 2012 Work Plan	FY 2013 President's Budget	FY2013 C-MANC Recommendations	FY 2013 House	FY 2013 Senate Committee	FY2014 C-MANC Recommendations	FY 2014 - Purpose of Funding
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## New Preconstruction Engineering and Design

San Clemente Shoreline						750	non-member
Solana-Encinitas Shoreline						1000	non-member

## Continuing Construction Projects

Hamilton Airfield Wetlands Restoration	8085	2200	3200	2090	2200	3000	Continue & Monitor Construction
Hamilton Airfield Wetlands Restoration - ATF							
Humboldt Bay							non-member
Imperial Beach (Silver Strand)			2000				Continue Construction
Los Angeles Harbor Main Channel Deepening		500	5000	475	500	4500	Middle Harbor Habitat Reimbursement
Oakland Harbor (50' Project)	1211		2100			2100	Infrastructure Construction
Oakland Harbor (42' Project)			3000			3000	Continue Construction
Rough & Ready Water Infrastructure			25000			2500	Pier Removal/Repair
Sacramento River Deep Water Ship Channel	2800		11000			11000	Engineering & Design
San Francisco, CA (Piers 35 & 70)			0			1500	Continue Construction
Surfside-Sunset & Newport Beach			1250			2500	
S. F. Bay to Stockton (Baldwin & Stockton Ship Channels)	800						

## Continuing Authorities Projects

Bay Farm Island Dikes	65						Study to End - No Federal Interests
Goleta Beach	254					0	Environmental Restoration Study
Moss Landing Harbor/Erosion Study - Sect. 1135			100				Erosion Control Alternatives
Northern Half Moon Bay Shoreline Improvements - Sect. 111	125		200			150	Harbor Deepening
Port of Hueneme Deepening - Section 107	350		2500				Initiate Study
San Francisco Central Basin - Section 107	180		350				Complete Study/Execute
Pismo Beach Shoreline Protection - Section 103	400					1400	Oil Piers Project
Ventura County - Sect 227			5000			5000	



## CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

## Operations and Maintenance

Project	FY 2012 Work Plan	FY 2013 President's Budget	FY2013 C-MANC Recommendations	FY 2013 House	FY 2013 Senate Committee	FY2014 C-MANC Recommendations	FY 2014 - Purpose of Funding
Bodega Bay Harbor			0			6500	Maintenance Dredging
Channel Islands Harbor	514	4500	12600	4343	4500	11500	Dredge Breakwater & Jetty Repair
Crescent City Harbor			0				Not needed at this time
Dana Point Harbor			0				Not needed at this time
Fisherman's Wharf Area, San Francisco			0				Not needed at this time
Humboldt Harbor and Bay	3195	1905	7865	1838	1905	7800	Maintenance Dredging
Larkspur Ferry Channel			0				non-member
Los Angeles - Long Beach Harbors		265	5400		265	9500	L.A. River Estuary & POLA
Marina del Rey	5476		3000			3500	Maintenance Dredging
Monterey Harbor			0				Not needed at this time
Morro Bay Harbor	1559	2200	2200	2123	2200	2500	Maintenance Dredging
Moss Landing Harbor			3200			850	Maintenance Dredging & DMMMP
Napa River			4300			9500	Maintenance Dredging
Newport Bay Harbor	1980		18000			0	Not needed at this time
Noyo River and Harbor			4500			2500	Maintenance Dredging
Oakland Harbor	14935	17200	22000	16598	17200	22000	Maintenance Dredging
Oceanside Harbor	1490	1600	2650	1544	1600	2900	Maintenance Dredging
Petaluma River			7500			7500	Maintenance Dredging
Pillar Point Harbor			2600			1500	Complete Breakwater Repairs
Pinole Shoal Management/Delta LTMS			2500			2500	Continue LTMS Process
Port Hueneme			0				Not needed at this time
Port San Luis			340			3500	Breakwater Repair
Project Condition Surveys	2026	1707	2500	1647	1707	3500	Annual Surveys
Redondo Beach Harbor (King Harbor)			500			500	Comprehensive Condition Survey
Redwood City Harbor	148		8000			8000	Maintenance Dredging
Richmond Harbor	8989	10700	10700	10326	10700	13500	Maintenance Dredging
Sacramento River (30ft)	3217	1443	10000	1392	1443	10000	Maintenance Dredging
Sacramento River (Shallow Draft)	493	200	200	193	200	200	Maintain Facilities
Sacramento River and Tributaries (Debris Control)	1498	1382	2300	1334	1382	2300	Critical Routine O & M
San Diego Harbor	3725		0			500	Jetty Survey
San Diego River and Mission Bay							Not needed at this time

## CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

## Operations and Maintenance (Cont.)

Project	FY 2012 Work Plan	FY 2013 President's Budget	FY 2013 C-MANC Recommendations	FY 2013 House	FY 2013 Senate Committee	FY 2014 C-MANC Recommendations	FY 2014 - Purpose of Funding
San Francisco Bay - Delta Model Structure	966	901	3500	869	901	3200	Operate Model
San Francisco Bay Long Term Mmgt. Strategy	247		3500			3500	Continue LTMS Process
San Francisco Harbor - S.F. Bar Channel (55ft.)	2796	2850	4000	2750	2850	4000	Maintenance Dredging
S. F. Harbor and Bay - Debris Removal	2989	3000	4500	2895	3000	4500	Debris Removal
San Joaquin River - Stockton Channel	4492	5525	8000	5332	5525	11500	Maintenance Dredging
San Leandro Marina (Jack D. Maltester Channel)			0			0	Not needed at this time
San Pablo Bay & Mare Island Strait	3402	2500	2500	2413	2500	2000	Maintenance Dredging
San Rafael Creek	148		0			0	Not needed at this time
Santa Barbara Harbor	2000	2240	2610	2162	2240	4000	Maintenance Dredging
Santa Cruz Harbor			700			8000	Dredge Purchase
Suisun Bay Channel/New York Slough	2715	2500	3500	2413	2500	2500	Maintenance Dredging
Suisun Channel			3000			0	Sponsor Disposal Site
Ventura Harbor	2749		5900			6500	Maintenance Dredging
Yuba River	95	121	121	117	121	250	non-member

TOTALS	FY 2012 Work Plan	FY 2013 President's Budget	FY 2013 C-MANC Recommendations	FY 2013 House	FY 2013 Senate Committee	FY 2014 C-MANC Recommendations
Potential New Shoreline Protection Studies	\$0	\$0	\$200	\$0	\$0	\$100
Shoreline Protection Studies in Progress	\$1,467	\$900	\$3,220	\$900	\$900	\$3,581
Environmental Restorations Studies	\$0	\$0	\$1,776	\$0	\$0	\$1,000
Potential New Navigation Studies in Progress	\$400	\$0	\$2,110	\$0	\$0	\$1,600
Navigation Studies in Progress	\$400	\$0	\$810	\$0	\$0	\$1,500
New Preconstruction Engineering and Design	\$0	\$0	\$0	\$0	\$0	\$1,750
Continuing Construction Projects	\$12,896	\$2,700	\$52,550	\$2,565	\$2,700	\$30,100
Continuing Authorities Projects	\$3,625	\$0	\$8,150	\$0	\$0	\$6,550
Operation and Maintenance	\$71,844	\$62,739	\$174,686	\$60,289	\$62,739	\$183,000
Totals	\$90,632	\$66,339	\$243,502	\$63,754	\$66,339	\$229,181



## *Recommendations for the Re-Authorization of the National Marine Sanctuaries Act*

C-MANC supports the conservation of the nation's ocean and Great Lake resources through Congressionally established Marine Sanctuaries. C-MANC member ports, harbors, and communities have a great amount of experience in working with California's four National Marine Sanctuaries and with the Office of National Marine Sanctuaries. While the National Marine Sanctuaries Act has offered a framework for establishing National Marine Sanctuaries, wherein greater management may occur than in the rest of the nation's ocean and Great Lake waters, C-MANC members also see a number of ways in which the Act can be clarified and strengthened to improve the services it ultimately provides to the nation.

C-MANC's recommendations for the Re-Authorization of the National Marine Sanctuaries Act are:

The Act should explicitly require the Sanctuary site managers to use the best available, peer-reviewed science representing a broad range of scientific views in their decision making for permit conditions and for potential regulations. The sanctuaries must be tasked with making credible efforts to reconcile any competing or conflicting scientific opinions.

Clarify that the 1972 marine Protection, Research and Sanctuaries Act did not envision Sanctuaries be regulatory agencies in regard to dredging and dredge material disposal relative to harbors that may be in or adjacent to Sanctuaries. That primary responsibility has been given by Titles I and II of the Act, to the Corps of Engineers and EPA. Furthermore Sanctuaries should be mandated to embrace beneficial reuse of marine sediment.

Beneficial reuse of the nation's marine sediment resources has become a clear policy mandate in State and Federal resource agency guidelines. EPA/USACOE Beneficial use manual 842 B 07 001; WRDA 2007 Section 2037; 2004 California Ocean Protection Plan, all embrace the concept of preserving and reusing marine sediment resources. Conversely, however, Sanctuary designation documents generally contain pejorative language relative to dredging activities. Such broad brush, negative language does not serve the nation's stated sediment goals and should be amended to encourage a fair, scientific analysis of each dredging application. NOAA should encourage favorable findings by Sanctuary managers where the facts of any individual application support a beneficial outcome.

Sanctuaries should not have the authority to regulate fisheries, either directly or indirectly or through reserves or no-take zones. This should be left to existing science-based regulatory authorities. Sanctuaries would be able to work with the fishing industry, NOAA Fisheries, and the Federal Regional Fishery Management Councils if any fishery-related issue arises.

Clarify the role and purpose of the Sanctuary Advisory Councils. The Sanctuaries Act should provide clear direction that council members accurately reflect the makeup of the community, including stakeholders, and that some method of accountability from the council representatives to their constituency groups, whom they are to represent, must be in place. Sanctuary Managers should not be in the position of having full control over not only the types of seats, but also who occupies those seats on the Advisory Councils. C-MANC believes that the public expects that these Councils will reflect the will of the regional communities and stakeholders.

Strengthen the public process required to change a Sanctuary designation document. Concurrence for any language or boundary changes, or new authorities, should be required from both the member (s) of Congress representing the District(s) that adjoin the Sanctuary, as well as concurrence from whatever local agency served as the lead agency for Sanctuary Designation.

Sanctuary status should not restrict vessel traffic nor require alterations to shipping lanes that are not supported by that industry.

C-MANC recommends not allowing the expansion of existing Sanctuaries or designation of new Sanctuaries until the problems identified above are resolved.



ORGANIZED 1956

## CALIFORNIA

### MARINE AFFAIRS AND NAVIGATION CONFERENCE

20885 REDWOOD ROAD, # 345 ~ CASTRO VALLEY, CALIFORNIA 94546

PHONE: (925) 828-6215 ~ FAX: (925) 396-6005 ~ E-MAIL: Jim@cmanc.com ~ www.cmanc.com

#### Public Agency Members

*Contra Costa, County of  
Crescent City Harbor  
Humboldt Bay Harbor  
Long Beach, Port of  
Los Angeles, County of  
Los Angeles, Port of  
Monterey, City of  
Morro Bay, City of  
Moss Landing Harbor  
Napa, County of  
Newport Beach, City of  
Noyo Harbor Dist.  
Oakland, Port of  
Oceanside, City of  
Orange, County of  
Oxnard Harbor Dist.  
Petaluma, City of  
Port Hueneme, City of  
Port San Luis Harbor  
Redondo Beach, City of  
Redwood City, Port of  
Richmond, Port of  
San Diego, Port of  
San Francisco, Port of  
San Leandro, City of  
San Mateo Co. Harbor  
San Rafael, City of  
Santa Barbara, City of  
Santa Cruz Port Dist.  
Seal Beach, City of  
Sonoma, County of  
Stockton, Port of  
Suisun City, City of  
Ventura, County of  
Ventura Port Dist.  
West Sacramento, Port of*

October 10, 2012

Ms. Maria Brown  
Sanctuary Superintendent  
Gulf of the Farallones National Marine Sanctuary  
991 Marine Drive  
The Presidio  
San Francisco, CA 94129

Subject: Revisions of Boundaries for the Monterey Bay  
National Marine Sanctuary (MBNMS); Docket Number NOAA-NOS-2012-0153

Dear Ms. Brown:

Thank you for the opportunity to comment on whether the MBNMS should expand its boundary to include the "exclusion area" and the potential effects of boundary expansion.

The California Marine Affairs and Navigation Conference (CMANC) and its members have over a fifty year relationship with the federal government in the development, operation, maintenance and improvement of the ports and harbors in California and their necessary navigation projects.

The Federal Register Notice of August 7, 2012 (Notice) states that a concurrent process is being undertaken under both the National Marine Sanctuaries Act and the National Environmental Policy Act with the completion of the final environmental impact statement within approximately twelve months of August 2012. To be on such a short time frame of identifying alternatives, issuing a draft environmental impact statement, choosing a preferred alternative and issuing a final environmental impact statement indicates that a listing of alternatives and an analysis of those alternatives has already started. We would like to see said listing and analysis.

In your public presentation on August 23, 2012 you mentioned how the Sanctuary Advisory Council (SAC) for the Gulf of the Farallones National Marine Sanctuary unanimously approved moving ahead with incorporating the expansion area. You did not state whether or not the Sanctuary Advisory Council for the Monterey Bay National Marine Sanctuary had voted in a similar manner. Has the MBNMS SAC voted on this proposal of exploring the option of incorporating the exclusion area into the MBNMS boundaries? If not, why not? While the Gulf of the Farallones Marine Sanctuary has administrative jurisdiction, we are not aware of any change to the Charter of the MBNMS SAC in their responsibilities to provide advice to the Secretary of Commerce regarding Sanctuary management priorities, programs and activities.

JEFF WINGFIELD  
CHAIR

MIKE CHRISTENSEN  
VICE CHAIR

LYN KRIEGER  
TREASURER

CHRIS BIRKELO  
IMMEDIATE PAST CHAIR

JAMES M. HAUSSENER  
EXECUTIVE DIRECTOR



The Notice states, in part: *The following activities taking place at the time of MBNMS designation were listed as reasons for excluding the region: 1. Pollution problems stemming from the combined sewer overflow component of the City and County of San Francisco's sewage treatment program; 2. High vessel traffic in the area; 3. Potential pollutants from dredge spoils deposited in the exclusion area. The Sanctuary has received reports that these three conditions are no longer valid issues for exclusion of this area. The San Francisco Public Utilities Commission (SFPUC) Oceanside Wastewater Treatment Plan has functioned for 17 years without a permit violation and is viewed as a national model of environmental sustainability. Recommended vessel traffic patterns have been moved offshore of the exclusion area and dredged materials are reported to be clean and are permitted under the Environmental Protection Agency.*

Yet, the web site: [montereybay.noaa.gov](http://montereybay.noaa.gov) provides a different story: *The boundary expansion excludes a small area of approximately 71 square nautical miles off the north coast of San Mateo County and the City and County of San Francisco. The excluded area encompasses the anticipated discharge plume of the combined sewer overflow component of the City and County of San Francisco's sewage treatment program, the shipping channel providing access to and from San Francisco Bay, and the Golden Gate dredged material disposal site associated with this channel. NOAA has determined that the nature and level of these activities are not appropriate for inclusion within a national marine sanctuary. By excluding this small area from the Sanctuary, NOAA will be able to focus Sanctuary management on the long-term protection of other areas that contain nationally significant resources and qualities and are less heavily impacted by human activity. By excluding the anticipated discharge plume of the combined sewer overflow from the Sanctuary, a buffer zone has been created protecting Sanctuary resources and qualities from the discharge.* Is the information provided at [montereybay.noaa.gov](http://montereybay.noaa.gov) accurate? If so, please describe how NOAA now has the ability to expand its purview to include the exclusion area.

It appears that the Notice is not entirely accurate in its portrayal of why the exclusion area was excluded. Yes, the three issues of sewage, vessel traffic and dredged material disposal were the reasons. However, it was the plume associated with the sewage, the San Francisco Bar Channel and placement of dredged material that were the driving forces. The Notice does not answer any of those three items. Is there a problem with the plume from the wastewater treatment plant? As the San Francisco Bar Channel is still in the same location, what conditions have changed that now allows it to be within the Sanctuary? Does the use of the near shore dredged-material placement site (SF-17) for material dredged from the San Francisco Bar Channel meet the current MBNMS regulations? Our understanding is the current regulations are: *Dredged material deposited at disposal sites authorized by the U.S. Environmental Protection Agency (EPA) (in consultation with the U.S. Army Corps of Engineers (COE)) prior to the effective date of Sanctuary designation (January 1, 1993), provided that the activity is pursuant to, and complies with the terms and conditions of, a valid Federal permit or approval existing on January 1, 1993, which would preclude the use of the site SF-17.* Further, it is our understanding that the dredged material regulations have limited potential beach nourishment projects within the MBNMS.

What impacts will adding the expansion area have on underway consensus processes and projects such as SPUR's Ocean Beach Master Plan or the Coastal Regional Sediment Master Plan Development for the San Francisco Littoral Cell? Will the MBNMS allow for the dredging of offshore sands for placement in erosion areas along the Coast within the exclusion area?

The Notice states that NOAA wishes to protect additional nationally-significant seascape by adding the exclusion area to the MBNMS. Please define exactly what nationally-significant seascapes are within the area and what additional protections the Sanctuary designation will provide to them. Were these nationally-significant areas described in the original designation document for the MBNMS?

As we understand, the MBNMS is a multiple-use Sanctuary. Please provide complete information on how multiple-uses will be encouraged with the addition of the exclusion area and how those uses having an interest or need for sediment management that already exist will not be impacted by the addition of the exclusion area.

At this time, due in part to the dearth of information in the Notice or during the public scoping meetings, as well as the potential impacts on navigation, the Coast of California, and the collaborative processes underway we are opposed to expansion of the MBNMS into the exclusion area.

Sincerely,

James M. Haussener



Executive Director





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## CALIFORNIA

### MARINE AFFAIRS AND NAVIGATION CONFERENCE

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March 1, 2013

Ms. Maria Brown  
Sanctuary Superintendent  
Gulf of the Farallones National Marine Sanctuary  
991 Marine Drive  
The Presidio  
San Francisco, CA 94129

Subject: Boundary Expansion of Cordell Bank and Gulf of  
the Farallones National Marine Sanctuaries

Dear Ms. Brown:

Thank you for the opportunity to comment on whether these two Sanctuaries should expand in a Northerly direction and encompass an additional 2,600+/- square miles of the Pacific Ocean.

The California Marine Affairs and Navigation Conference (CMANC) and its members have over a fifty year relationship with the federal government in the development, operation, maintenance and improvement of the ports and harbors in California and their necessary navigation projects.

Our Membership and CMANC supports the preservation of the Nation's oceans through Congressionally established Marine Sanctuaries. However, we have had and continue to have a variety of specific concerns with the National Marine Sanctuary program. These concerns include sediment, vessels, fisheries, marine protected areas, maintenance and operations of ports and harbors, and Sanctuary Advisory Councils. To that end, CMANC does have a policy of being opposed to the expansion of existing Sanctuaries due to these issues.

The Federal Register Notice stated *"In accordance with Section 304(e) of the NMSA, NOAA is now initiating a review of the boundaries for CBNMS and GFNMS to evaluate and assess a proposed expansion of the sanctuaries."* Section 304 (e) states *"REVIEW OF MANAGEMENT PLANS. – Not more than five years after the date of designation of any national marine sanctuary, and thereafter at intervals not exceeding five years, the Secretary shall evaluate the substantive progress toward implementing the management plan and goals for the sanctuary, especially the effectiveness of site-specific management techniques and strategies, and shall revise the management plan and regulations as necessary to fulfill the purposes and policies of this chapter. This review shall include a prioritization of management objectives."* Please provide a direct link within the National Marine Sanctuaries Act that provides for the expansion of a national marine sanctuary when a Member of Congress proposes it, rather than the Congress of the United States

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JIM HAUSSENER  
EXECUTIVE DIRECTOR

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*To promote the operation, maintenance and improvement of California harbors, ports and navigation projects that demonstrate responsible stewardship and benefit the regional and national economy.*

having taken a positive action. Further, please describe how the expansion of either of these sanctuaries can take place as the 2008 Joint Management Plan Review Study Area Map did not include the areas that are being contemplated.

Please discuss how this proposal is in keeping with President Obama's National Policy for the Stewardship of the Oceans, Our Coasts, and the Great Lakes. In particular, please focus on both the draft implementation plan as released by the National Ocean Council and the National Ocean Policy's Framework for Effective Coastal and Marine Spatial Planning.

Based on comments within the Congressional Record, it appears that Members of Congress during the early debates on *Marine Sanctuaries* did not consider the size of the sanctuaries that currently exist. Please accurately describe how this proposal is in keeping with Congressional intent. Further there needs to be a full discussion on the cumulative impacts of this proposal combined with both a Southerly expansion of the Monterey Bay National Marine Sanctuary and an Easterly expansion of the Channel Islands National Marine Sanctuary. This discussion should include reducing the boundaries of both the Cordell Bank and Gulf of the Farallones National Marine Sanctuaries.

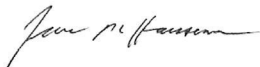
Please describe the additional resources NOAA will be able to provide during the first five fiscal years of any expansion of these sanctuaries along with the impacts of reductions within other programs of NOAA to allow for these resources to go towards the expansions.

Please fully describe the source(s) of any and all resources that will be used during the first five fiscal years to support any expansion of these sanctuaries.

At this time, due to concerns we have with the National Marine Sanctuary Program and the additional concerns raised by this proposal we are opposed to expansion of both the Cordell Bank and Gulf of the Farallones National Marine Sanctuaries.

Sincerely,

James M. Haussener



Executive Director



On behalf of California's ports and harbors, CMANC is grateful for the contributions of the following for supporting the

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