
Jennifer Stock: Richard Charter is with the National Outer Continental Shelf Coalition, a marine conservation advocate for defenders of wildlife and also serves as the chair on the Gulf of the Farallones Sanctuary Advisory Council. Richard has been strongly involved in Lynn Woolsey's bill, HR 1187 to expand the Cordell Bank and Gulf of the Farallones Sanctuary boundaries up the coast to Point Arena. Richard, thanks for joining me today.

Richard Charter: Thank you.

Jennifer Stock: The proposed Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act has made some momentum this year and most recently received a hearing with the House Fisheries, Wildlife, and Oceans Subcommittee, which is a subcommittee of the House Resources Committee. What was the significance of that hearing?

Richard Charter: Well, there has been a sense ever since the original creation of the Gulf of the Farallones Sanctuary in 1980, there was an effort at that time to have the boundary go at least as far north as the Russian River and over the course of the history of the Farallones Sanctuary and, more recently, the Cordell Sanctuary there's been a realization that the ocean ecosystems within the sanctuaries are extremely dependent on the productivity that arrives to them from the upwelling system in the ocean immediately north of the sanctuary. So, if you're going to protect sanctuary resources of Cordell, Gulf of the Farallones, and Monterey sanctuaries, you really need to protect the upwelling.

Jennifer Stock: Who testified at the hearing?

Richard Charter: Dr. Susan Williams, who is the director of the Bodega Bay Marine Lab for the University of California Davis. She just happens to be on sabbatical right now, but she traveled to Washington and presented very compelling scientific testimony, specifically focusing on the upwelling system off of Point Arena where this rich nutrient-laden water comes up and then moves, basically, southward on the currents along the coast, creating a plankton bloom that is basically the reason why we have this flush marine life around the Farallon Islands.

Jennifer Stock: Yeah, it's actually the peak upwelling values are up on the Sonoma coast for the entire California coast. So, it's of huge significance.

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- Richard Charter:* Well, actually, this is one of the four most productive upwelling systems on the planet, mid-latitude, west coast, California, and it stretches, actually, it starts a little further north from Point Arena. It's pretty much Fort Bragg to Point Arena is the upwelling center, but a lot of it happens off the Sonoma coast and the Sonoma coast provides the very important incubation time, you might say, as all of these nutrients move south towards the Farallones and then down toward the Monterey Canyon. So, any activity that might be proposed, let's say, offshore oil and gas drilling, for example, off the Sonoma coast would almost certainly have an adverse impact on sanctuary resources.
- Jennifer Stock:* Was there any other, anybody else that testified at this subcommittee meeting about the bill?
- Richard Charter:* NOAA provided testimony, generally in support, although there was some confusion, a little bit, about the NOAA testimony by certain news media, but NOAA is supportive as we understand it and many different groups admitted written testimony. It was a very short hearing opportunity. It's a busy, busy time of year for these committees. The Pacific Coast Federation of Fishermen's Associations in San Francisco submitted very supportive testimony in writing and there was generally no opposition.
- Jennifer Stock:* The significance of this hearing is pretty important. Where does it head now after it's been with the subcommittee?
- Richard Charter:* Well, if you remember the eighth grade, how a bill becomes a law...
- Jennifer Stock:* Some of us need a reminder.
- Richard Charter:* ...that is not how it works, actually. The way a bill becomes a law is that first you have to have what is called legislative history. You have to have had a committee hearing on the bill. After that, that bill can be legitimately attached to any, even remotely related legislation. So, now that there is legislative history on HR 1187, it makes it easier to find what we call a legislative vehicle or a moving train is the loose term for it. As Congress prepares to adjourn for the session or adjourn for the end of the year, I should say, it is possible that we could find something as early as December that this could be attached to. So, it's very significant to have a hearing on the bill.
- Jennifer Stock:* How likely do you think this will actually get passed in the next two years?

Richard Charter: Well, last December 6th it was actually attached, a smaller version geographically, that went at that time only as far north as the Walala River because we had not yet gotten...had not yet been joined by Congressman Mike Thompson, who represents the areas to the north of the town of Walala on the Mendocino coast who this year is now a cosponsor, but in December of last year this was actually added to the Magnuson Fisheries bill one night, December 6th and it was on there for about six hours until former Congressman, Richard Pombo, we understand, who at that time had already been defeated, was a lame duck, he made some phone calls and got it taken out. So, the opportunities arise and when they do you can take them and we won't have to contend with a last minute hatchet-job as we did last December.

Jennifer Stock: Interesting. Well, we'll stay tuned for that. Sanctuaries regulate activities that are detrimental to the environment such as banning oil and gas exploration and drilling, prevent dumping and disturbance to the sea floor, and many others. Yesterday, the Sonoma County Board of Supervisors applied for wave energy permits to acquire a new source of clean energy that has the potential to deliver a new source of energy to thousands. What does this mean in regards to future expansion of the sanctuaries that may want to regulate that type of disturbance to the sea floor?

Richard Charter: Well, resolutions of support of HR 1187, the Woolsey Sanctuary Expansion Bill, have been passed by the county of Sonoma, the county of Marin, the county of Mendocino, and the city and county of San Francisco as well as the State Lands Commission and the California Coast Commission. So, all of the local agencies and even state agencies that would be effected by sanctuary expansion are on record, on board, in support, strongly of sanctuary expansion here. The county of Sonoma did nothing to change that yesterday. The county of Sonoma is restating their support for sanctuary expansion. However, there's a new set of issues that have arisen on the northern California coast involving private companies ranging from Pacific Gas and Electric to Chevron to a Canadian wave energy firm called Finavera who have been taking up permits with the proposing permit applications with the Federal Energy Regulatory Commission, FERC, who is claiming that they have jurisdiction over California state waters.

The county supervisors in these counties have gotten to the point where they're tired of waking up one morning and reading their local paper that they now have Chevron or PG&E off their coast. So, Sonoma county supervisors, this week, acted proactively to

apply for all permits off the entire Sonoma county coast from the Mendocino county line down to the Marin County line. This doesn't mean that they're going to install wave arrays in all of that water. They actually applied out to twelve miles from shore. So, beyond three miles, which is the duration of state waters, they actually are well into federal waters as well.

The reason the supervisors did that, and they were very specific in their action, was to make sure that nobody else can become the entity in charge of the Sonoma coast. This board of supervisors and their predecessors have worked for the last 30 years to maintain a Congressional moratorium...had to be renewed every year, on offshore oil and gas leasing. They were very instrumental in the creation of both the Gulf of the Farallones and Cordell Bank sanctuaries originally and I am absolutely certain they will do nothing within the sanctuary boundaries. However, the northern boundaries of both Cordell Sanctuary and Gulf of the Farallones Sanctuary, basically stop at Bodega Head. The county line between Sonoma and Marin is at the Estero Americano a little south of Bodega Head.

So, that meant that when the Sonoma supervisors delineated their permit application to FERC, inclusive of the entire Sonoma coast, they actually overlapped a very small area of the two sanctuaries, Farallones and Cordell. They had to do that, it doesn't mean that they will put a wave array there and, in fact, they are virtually assured that they will not, but if they did not apply for the sanctuary waters, then someone else would. That would simply leave an unguarded gap in what they're trying to do and so, the sanctuaries would then be vulnerable to an oil company or a major utility.

Jennifer Stock:

Thanks for describing that. I think we'll be learning a lot more about wave energy in the coming years looking at all of these alternatives that might help offset the need for oil and gas. Is there anything you'd like residents to know as far as how they could potentially get involved at this stage in regards to either wave energy information or the sanctuary expansion bill?

Richard Charter:

Well, the sanctuary expansion bill is certainly at a critical juncture and if listeners were interested in, you know, writing letters in support of HR 1187, you can find it on the House of Representatives website under Thomas.gov and look at it, get familiar with it, maybe write a letter to the editor of your local or regional newspaper. This is something that, an opportunity to expand a sanctuary or create a new sanctuary, something that is,

kind of, a once in a lifetime sort of opportunity and it will not come again. I mean, we have the right alignment politically in this Congress to get it done. If you look at the price of oil hovering around \$100 a barrel, probably going to stick there. This becomes harder and harder to do. So, I think the concern that anything outside of a national marine sanctuary boundary may become vulnerable to the oil and gas drilling industry is a very valid concern and so, this is the time to enhance this protection.

The second thing I'd like to suggest is, obviously, the sanctuaries each maintain a sanctuary advisory council and from time to time openings come up on those councils. Our Gulf of the Farallones Sanctuary Advisory Council is a great group of people as is the Cordell Sanctuary Advisory Council and, you know, listeners should keep an eye on the websites for both sanctuaries as vacancies come up. Think about applying for the sanctuary advisory councils. They meet four times a year. It's not a massive commitment of time and it's one way to be directly involved in protection of this resource.

Jennifer Stock:

Thank you, Richard. That's an excellent point. I know for Cordell Bank we'll be having some seats coming up in 2008 and certainly are going to be looking for people to help contribute to become part of the sanctuary and how we're going to managing it. We're just about out of time, Richard. I want to thank you for your time and all of the energy you're putting towards protecting our coast and I certainly look forward to having you back on the show again another time.

Richard Charter:

Thanks very much.

Jennifer Stock:

Thank you.

Richard Charter:

Appreciate it.