

103D CONGRESS  
1ST SESSION

# H. R. 293

To designate the waters of the California Central Coast as a national marine sanctuary.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. PANETTA introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

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## A BILL

To designate the waters of the California Central Coast as a national marine sanctuary.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “California Central  
5 Coast National Marine Sanctuary Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) the marine environment of the waters of the  
9 California Central Coast has special national cul-

1 tural, educational, research, and economic signifi-  
2 cance, because of its—

3 (A) significant oceanographic characteris-  
4 tics, including a major permanent upwelling,  
5 several transitional upwellings, and current  
6 interaction located in the Californian transition  
7 zone between the Oregonian and Californian cli-  
8 matic provinces and its interrelationship with  
9 the Nipomo Dune-Point Sal National Natural  
10 Landmark,

11 (B) sensitive ecological and biological char-  
12 acteristics, including the presence of more than  
13 27 endangered or threatened species of marine  
14 mammals, birds, and reptiles and a mixture of  
15 fish, mammal, shellfish, bird, and plant species  
16 not found elsewhere in the Pacific Basin,

17 (C) significant archeological values, includ-  
18 ing hundreds of Chumash Indian sites, many  
19 dating back 9,500 years; and

20 (D) significant estuarine and wetland  
21 ecosystems, including Morro Bay;

22 (2) the health and productivity of the waters of  
23 the California Central Coast are threatened by a va-  
24 riety of pollutants and expanding industrial uses of  
25 the waters;

1           (3) the existing State and Federal regulatory  
2           and management authorities applicable to the waters  
3           of the California Central Coast are inadequate to  
4           provide the kind of comprehensive and coordinated  
5           conservation and management of the sensitive ma-  
6           rine environment of those waters that is available  
7           under the Marine Protection, Research, and Sanc-  
8           tuaries Act of 1972 (16 U.S.C. 1431 et seq.); and

9           (4) the designation and treatment of the waters  
10          of the California Central Coast as a national marine  
11          sanctuary is necessary for the preservation and pro-  
12          tection of this important area of our Nation's ma-  
13          rine environment.

14 **SEC. 3. POLICY AND PURPOSE.**

15          (a) **POLICY.**—It is the policy of the United States to  
16          protect and preserve living and other resources of the Cali-  
17          fornia Central Coast marine environment.

18          (b) **PURPOSE.**—The purpose of this Act is to protect  
19          the resources of the area described in section 4(b), to edu-  
20          cate and interpret for the public regarding the California  
21          Central Coast marine environment, and to manage such  
22          human uses of the Sanctuary consistent with this Act.  
23          Nothing in this Act is intended to restrict activities that  
24          do not cause an adverse effect to the resources or property

1 of the Sanctuary or that do not pose harm to users of  
2 the Sanctuary.

3 **SEC. 4. DESIGNATION OF CALIFORNIA CENTRAL COAST NA-**  
4 **TIONAL MARINE SANCTUARY.**

5 (a) DESIGNATION.—The area described in subsection  
6 (b) is designated as the California Central Coast National  
7 Marine Sanctuary (hereinafter in this Act referred to as  
8 the “Sanctuary”), and shall be a national marine sanc-  
9 tuary under title III of the Marine Protection, Research,  
10 and Sanctuaries Act of 1972 (16 U.S.C. 1431 et seq.).  
11 The Sanctuary shall be managed and regulations enforced  
12 under all applicable provisions of that title III as if the  
13 Sanctuary had been designated under such title.

14 (b) AREA INCLUDED.—Subject to subsections (c) and  
15 (d), the area referred to in subsection (a) consists of all  
16 submerged lands and waters, including living marine and  
17 other resources within and on those lands and waters, off  
18 the coast of California seaward of the high tide line—

19 (1) from the southern boundary of the Monte-  
20 rey Bay National Marine Sanctuary to the southern  
21 boundary of Point Sal Beach State Park in Santa  
22 Barbara County, California, and

23 (2) extending westward from Point Sal, Califor-  
24 nia, to encompass the offshore Santa Lucia Bank;

1 as such waters may be described more particularly by the  
2 Secretary pursuant to subsection (d).

3 (c) AREAS WITHIN STATE OF CALIFORNIA.—The  
4 designation under subsection (a) shall not take effect for  
5 any area located within the waters of the State of Califor-  
6 nia if, not later than 45 days after the date of the enact-  
7 ment of this Act, the Governor of the State of California  
8 objects in writing to the Secretary of Commerce.

9 (d) BOUNDARY MODIFICATIONS.—No later than the  
10 issuance of the draft environmental impact statement for  
11 the Sanctuary under section 304(a)(1)(C)(vii) of the Ma-  
12 rine Protection, Research, and Sanctuaries Act of 1972  
13 (16 U.S.C. 1434(a)(1)(C)(vii)), in consultation with the  
14 Governor of the State of California, if appropriate, the  
15 Secretary of Commerce may make minor modifications to  
16 the boundaries of the Sanctuary as necessary to fulfill the  
17 purpose of this Act. The Secretary of Commerce shall sub-  
18 mit to the Committee on Commerce, Science, and Trans-  
19 portation of the Senate and the Committee on Merchant  
20 Marine and Fisheries of the House of Representatives a  
21 written notification of such modifications.

22 **SEC. 5. COMPREHENSIVE MANAGEMENT PLAN.**

23 (a) PREPARATION OF PLAN.—The Secretary of Com-  
24 merce, in consultation with appropriate Federal, State,  
25 and local government authorities, shall develop a com-

1 prehensive management plan and implementing regula-  
2 tions to achieve the policy and purpose of this Act by not  
3 later than 24 months after the date of the enactment of  
4 this Act. In developing the plan and regulations, the Sec-  
5 retary of Commerce shall follow the procedures specified  
6 in sections 303 and 304 of the Marine Protection, Re-  
7 search, and Sanctuaries Act of 1972 (16 U.S.C. 1433 and  
8 1434). Such comprehensive management plan shall—

9           (1) facilitate all public and private uses of the  
10       Sanctuary consistent with the primary objective of  
11       Sanctuary resource protection;

12           (2) consider temporal and geographical zoning,  
13       to ensure protection of Sanctuary resources;

14           (3) identify needs for research and establish a  
15       long-term ecological monitoring program;

16           (4) identify alternative sources of funding need-  
17       ed to fully implement the plan's provisions and sup-  
18       plement appropriations under section 6 of this Act  
19       and section 313 of the Marine Protection, Research,  
20       and Sanctuaries Act of 1972 (16 U.S.C. 1444);

21           (5) ensure coordination and cooperation be-  
22       tween Sanctuary managers and other Federal, State,  
23       and local authorities with jurisdiction within or adja-  
24       cent to the Sanctuary; and

1           (6) promote education, among users of the  
2           Sanctuary and the general public, about conserva-  
3           tion of the California Central Coast marine environ-  
4           ment.

5           (b) PUBLIC PARTICIPATION.—The Secretary of Com-  
6           merce shall provide for participation by the general public  
7           in development of the comprehensive management plan.

8           **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9           For carrying out this Act there are authorized to be  
10          appropriated to the Secretary \$250,000 for each of the  
11          fiscal years 1993 and 1994.

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