



How a Sea Grass Rebellion Led to the Monterey Bay National Marine Sanctuary

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A Brief History of Save Our Shores, 1986-1993 (Dan Haifley)

California's beautifully complex coastline features rock outcroppings, sandy beaches, tide pools and wetlands. But it's also defined by what we don't see—along California's central and northern coast there are no offshore oil platforms. Why? Well, one reason is that a string of coastal communities was encouraged by a then little-known organization called Save Our Shores (SOS) to approve laws that restricted the development of onshore facilities necessary for offshore oil development. Local groups that worked in those communities to campaign for approval of these measures were a razor sharp edge of the statewide movement to protect the ocean and the state's coastline. The approach was unusual and effective.

In fact, the work these groups did helped to persuade a president running for reelection a few years later to grant the strongest coastal protections ever achieved. In 1992, then-President George H.W. Bush granted permanent protection to much of California's central coast through the designation of the Monterey Bay National Marine Sanctuary.

In 1985, 82 percent of Santa Cruz City voters voted to require that any zoning changes to accommodate onshore facilities for offshore oil must be approved by a vote of the electorate. They also voted to help lead the fight against drilling off California's coast. Save Our Shores, a well-organized posse of volunteers working since 1978 on coastal issues including offshore oil drilling was tapped to take on that fight, and Dan Haifley was hired to coordinate it.

Save Our Shores' effort would not take a civics textbook-style classic government route. The tactic would be unusual and controversial. Instead of the traditional method of

petitioning the federal government, SOS would take the take a back door approach through local zoning laws.

The federal government has the right to lease the ocean floor for drilling from 3 to 200 miles offshore, and the state controls it from the mean high tide line out to 3 miles. But local government has zoning power within their own boundaries.

A strategy to prevent offshore oil development through local zoning rules was developed in response to a frustration with a federal process that activists believed was not responsive to local concerns. The decisions were being made in Washington, D.C., and even though we were well represented there, one bad decision could have lasting consequences.

The strategy was developed by then-Santa Cruz County Supervisor Gary Patton, City Councilmembers John Laird and Mardi Wormhoudt, SOS Chair Kim Tschantz, and others. The idea was either prohibit, or put up for a public vote, the local zoning changes needed to accommodate onshore facilities to support offshore development.

To implement that strategy, Haifley worked the telephone, used the U.S. mail, and traveled the state to promote the approval of laws similar to Santa Cruz's. This was before email and social media made community organizing over large distances easier.

Ultimately, twenty-six cities and counties from San Diego to Humboldt approved such ordinances; most were passed by local voters by wide margins. A Laguna Beach city councilmember would refer to it in a radio interview as a "wall of defense" against new offshore oil drilling.

To promote the idea, Haifley initially worked under the guidance of SOS Chair Kim Tschantz to develop a slide show and a pitch that would hopefully persuade local governing bodies to go along with the idea. After a debut of the slide show at the Santa Cruz City Council, I was advised by Councilmember Jane Weed to reorganize the slides and rewrite its script. I did, and the result was concise and, we found, effective.

Sea Grass Rebellion

In the fall of 1986, Haifley drafted a letter for Santa Cruz's mayor to send to cities and counties urging them to pass an ordinance restricting, or requiring a vote to approve or prohibit onshore facilities for offshore oil. A copy of Santa Cruz's ordinance was attached to the letter as a guide. Then, working at home and in an office that SOS rented

in the back of the Resource Center for Nonviolence in Santa Cruz, Haifley started calling local elected officials from coastal communities throughout California.

Haifley got some very interesting responses. The best was from a San Diego city councilmember: "I'm writing an ordinance, and I'm working on getting the city to cut a check." Most other responses required diplomacy, persistence, or both.

"That's illegal," exclaimed Norm DeVall, Mendocino County Supervisor. Actually, there were some legal problems with the approach, which I will discuss later. But Norman later called me back, newly convinced of the value of running a ballot measure to motivate the right voters and get them to the polls. At his behest, I made a presentation to the board of supervisors meeting in Ukiah a day or two before another meeting in Humboldt County.

Another phone call was placed to then-Humboldt County Supervisor—and later State Senator and current Assemblymember—Wes Chesbro. Chesbro explained that there was not a majority of voters in his county at that time that was likely to oppose offshore oil development, but predicted that Humboldt County voters would change their views, and ultimately a measure was placed on the ballot and approved with 68 percent of the vote. Opposition came from the more conservative city of Eureka, and with Chesbro's advice I did not pursue a ballot measure there.

San Luis Obispo County was another area where the law that required a vote for onshore facilities was approved narrowly, by 52 percent of voters. The tight margin was due to the more conservative nature of the county and its economic ties to the offshore oil industry, particularly in the southern part of the county.

A few years later, that San Luis Obispo law was put to the test when zoning changes to accommodate facilities to support an offshore platform in the region off Vandenberg Air Force Base were put on the ballot, and lost. It was a victory for some area environmentalists, though the county supervisor representing the area supported the proposed facilities.

Santa Barbara County was not a target for my work. The area was already an offshore oil producer; there was an onshore dewatering facility near Gaviota that was built after a similar but failed ballot measure some years before.

State and federal agencies preferred that any new offshore development go where existing development already was operating. After a running dispute with regulators,

one oil company defiantly put its support operations on a barge just outside the state's three-mile limit off Santa Barbara County, making the industry-government relationship more complex and tense.

The city and county of San Francisco, whose politics were the stuff of great theater, did their local ordinance in two parts. There was an election on a ballot measure in 1986, garnering 71 percent of the vote, and a follow-up ordinance in 1990.

In the City by the Bay, lots of work was needed in order to limit onshore facilities in a city that already had similar industries. Natural Resources Defense Council attorney Johanna Wald led negotiations with the office of City Supervisor Harry Britt, who was first appointed to the board to fill the remaining term of assassinated supervisor and gay political pioneer Harvey Milk, and the office of the independently elected city attorney. San Francisco's entertaining politics and gloriously ornate City Hall also had a complex bureaucracy. I attended several meetings, as did Wald, to help make sure the laws made their way out of the maze.

Traveling Road Show

For a couple of years Haifley traveled the state in his old Ford Pinto to make presentations to local governments. Sometimes he travelled with Councilmembers Mike Rotkin and John Laird but most of the time he traveled alone.

John Laird made presentations on his own, using an old lamp projector and photographic slides. He became a reliable spokesperson for the effort, officially known by the catchy title "Oil Information Program", and advocated for us when it was needed. He was a quick study in the complex science and politics associated with the issue and engaged people well. As of this writing, he serves as California's secretary of natural resources, a cabinet-level position serving the governor, after having served a distinguished legislative career.

The schedule was demanding, and Haifley often slept on couches in the homes of local leaders or elected officials. He concentrated primarily in two areas: local organizations, and local governments. For local governments, he worked to strengthen the hand of local officials opposed to offshore oil with projects such as ghost-writing an article for the League of California Cities' magazine and making presentations at conferences. I was building a statewide network or at least was deepening existing alliances, but due to a lack of time and the great distances involved, the larger network was, unfortunately, not sustained beyond the passage of the local ordinances.

Building the SOS Brand

The public saw Save Our Shores' newly prominent profile and began calling with questions and advice. I had a number of requests for presentations to school classes and service clubs, so I modified the presentation in my meager spare time and put out an appeal for volunteers to help. One such volunteer was Cathleen Eckhardt, who remains a Save Our Shores supporter to this day.

I met my wife, Rebecca, through one such request. She was a teacher at Pescadero Elementary School and asked me to come provide a presentation to her class. Pescadero, an unincorporated community on the southern San Mateo County coastline, was very conservative at the time. A few years after Rebecca and I were living together and she was still teaching there, I was asked to participate in a debate on offshore oil drilling against Chevron's Vice President Clair Ghylin. Although nearly all of the 300 attendees thought I had won the debate, the Pescadero Community Council did not feel it was appropriate to oppose offshore oil development.

SOS's visibility grew as I and John Laird were frequently quoted in newspapers and were interviewed for radio and television about offshore oil in particular and coastal protection in general. Because I was the only staff and my time was filled, there was little time to build a membership or fundraising mechanism, and those are the things needed to build the infrastructure of an organization.

Fighting Oil the Traditional Way

The federal government divided California's coast into three sections for offshore oil development, then began a public hearing process in the late 1980s. Lease Sale 91 occupied the coastline north of Sonoma. John Laird, Capitola City Councilmember Stephanie Harlan, Monterey County Supervisor Sam Karas, and *Santa Cruz Sentinel* reporter (later Editor-in-Chief) Don Miller and I traveled there for a public hearing in Fort Bragg. Due to the very long list of anti-drilling speakers, the hearing lasted two days.

Lease Sale 119 [which] stretched from the Sonoma/Mendocino County line and the San Luis Obispo/Monterey County line, was scheduled to occur in 1991, with the first "pre-lease planning steps" to occur in 1987.

Save Our Shores and the city of Santa Cruz launched an effort in 1987 with the Association of Monterey Bay Area Governments and a six-county consortium called the

Central Coast Counties Regional OCS Studies Program to encourage the public to participate during all federal pre-lease planning steps. More than 9,500 Santa Cruz County residents signed pre-printed postcards within a forty-five-day period.

The Santa Cruz City Council was presented with the postcards on May 23, 1989, and the city sent the cards to the Minerals Management Service, which had the conflicting tasks of promoting, regulating and managing offshore development, along with a strongly worded letter from the mayor. Thousands of people from San Mateo and Monterey Counties also participated. Due to Congressional action initiated by Representative Leon Panetta, further pre-lease steps were delayed, and the president in 1990 declared a ten-year moratorium on pre-lease planning for the central California coastline.

Critics and Lawyers

As the effort to pass the ordinances grew, some in the environmental community and more in government were concerned that the local ordinances would push support operations essential to oil development onto offshore barges and platforms, a proposition more environmentally risky than doing the work onshore under more controlled conditions. There was also concern that the local laws flew in the face of interstate commerce and the California Coastal Act, among other things. How can the U.S. and state constitution allow local governments to thwart state and federally sanctioned activities, especially those that help fuel America's thirst for oil?

[Activists] argued that even if the ordinances were overturned for these reasons, the fact that so many of them were approved demonstrated a broad and deep sentiment against offshore oil that existed at the time.

There was criticism from two Santa Cruz councilmembers who claimed that the program was not raising enough money from other local governments. Most observers believed, however, that the real reason for the complaint was politics. The issue of offshore oil was a potent one for progressive councilmembers and candidates, and not the critics. In fact, other local governments did contribute to the effort, including Santa Cruz County, San Mateo County, the cities of Monterey, San Diego, Redondo Beach, Watsonville, Capitola, Pacific Grove, Point Arena, and the Association of Monterey Bay Area Governments.

Lawsuit Lands with a Thud

In the meantime, the oil industry took notice of the local ordinances and filed a lawsuit against thirteen of the twenty-six communities. The legal summons hit like a thud. No one in local government panicked; in fact most took it as a badge of honor. The city of Santa Cruz, for example, held a press conference. A coalition of city and county attorneys pooled funds and hired Roger Beers, a San Francisco attorney. Another press conference included elected officials from each government that was targeted, in order to show a united front.

The lawsuit, filed by the Western Oil and Gas Association (later renamed the Western States Petroleum Association) used the U.S. Commerce Clause to argue that local governments were interfering with interstate commerce. Behind that argument was the fact that the production, treatment, and distribution of oil crossed state lines and was essential to power the U.S. economy.

Around this time, a state senator from the San Francisco East Bay area named Dan Boatwright carried a well-intentioned bill to deal with offshore oil using zoning laws on a statewide level. I was asked by some of the attorneys working against the oil industry lawsuit to try and get the bill sidelined. None of the attorneys wanted to be publicly associated with an effort to defeat an anti-offshore oil bill, and neither did most of the environmental community. But the bill would have unwittingly damaged our legal case. So, I had no choice but to work to defeat the bill, and I was on my own. Knowing that the survival of at least thirteen of the local laws was at risk, I traveled to Sacramento to argue against the bill. It was an awkward task, arguing against a bill supported by our allies to achieve the goals we were working towards. Former Assembly Speaker pro Tempore Fred Keeley, who was then Assemblymember Sam Farr's Chief of Staff, told me that Boatwright's Chief of Staff was interviewed by public radio saying the bill was opposed by "extremists from Santa Cruz," a reference to me. The bill ultimately died, quietly.

The suit wound up on the Los Angeles courtroom of Federal Judge Consuela Marshall of the 9th District Court of Appeals, who ruled in favor of local governments. But there was one caveat: the San Diego ordinance had to be rewritten to comply more fully with the California Coastal Act. The industry group subsequently asked the Supreme Court to review the latter decision. The Supreme Court rejected that request in January 1992. The courts ruled that the issues involved with ten of the thirteen ordinances were not "ripe" for judicial review, since no coastal city or county had closed the door on an onshore facility for offshore oil.

More Traditional Organizing

SOS's local ordinance campaign was just one component of the statewide effort to prevent new offshore oil development. At this point, California had to contend with three separate offshore lease sales, each covering a roughly equal stretch of coastline off southern, central, and northern California. In 1988, I worked with The Association of Monterey Bay Area Governments [AMBAG] to develop a "visitor outreach program" to place tent cards in hotel rooms warning of the danger to offshore oil. The idea was to build a constituency of visitors to the Monterey Bay from places such as Kansas City or perhaps Memphis, Tennessee, who would write to their member of Congress in favor of protecting our—and their— coastline. We had postcards available in hotel rooms and visitors were given a pre-printed message to send to their own member of Congress. This was a forerunner of today's pro-ocean Facebook pages that encourage members to email their elected officials when key votes come up.

Soon after he was inaugurated, President George H.W. Bush appointed a task force to study offshore leasing and production issues in environmentally sensitive areas. The task force included the secretary of interior, the EPA administrator, and a representative of the National Academy of Sciences (NAS). The NAS was commissioned to conduct a study of the adequacy of environmental information used in offshore leasing and planning decisions and concluded that, in most cases, that information was inadequate.

Based upon the task force's recommendations, on June 26, 1990 Bush announced his intent to delay offshore leasing activities in several coastal areas, including California. All pre-lease activities for lease sales scheduled offshore California for the 1990s were delayed until the year 2000. The only exception was eighty-seven tracts off San Luis Obispo, Santa Barbara, and Ventura Counties, which were to be delayed for leasing activities until 1996. Save Our Shores encouraged the public to participate in task force hearings and provided written comments and testimony to the task force. The fight against offshore oil ultimately dovetailed with then-US Representative Leon Panetta's work to establish a marine sanctuary in Monterey Bay.

Protection on the Horizon

The 1969 Santa Barbara oil spill had motivated Congress to approve legislation allowing the formation of marine sanctuaries, and the California Coastal Commission began to work for such status for Monterey Bay. After his election to Congress in 1976, Panetta began work on that effort. In 1988 he secured congressional authorization for the National Oceanic and Atmospheric Administration to begin the planning for a marine sanctuary at Monterey Bay. Backed by the work of Richard Charter, a Bodega Bay resident who lobbied members of Congress and ran a grassroots network of local

governments and environmentalists who could turn out letters and phone calls in large numbers, Panetta had worked for some years as a member of the House Appropriations Committee to obtain an annual freeze on federal funds needed to plan for offshore leasing. That effort worked until 1986, when it failed in committee by a single vote. After this defeat, Panetta was able to secure a berth for the Monterey Bay Sanctuary, a previous version of which had been unsuccessful. He tells the story of a discussion with a powerful committee chair in which he asked for expansive protection against offshore oil. The chair replied that that was not possible, but what else did Leon want? Panetta said, "Well, I want a marine sanctuary for Monterey Bay." And he got it.

With the coastline newly vulnerable, marine sanctuary status provided an opportunity for permanent protection. To seize it, the Environmental Working Group was formed in 1988 to promote the largest boundary and strongest protections. Representing Save Our Shores, I served as its cochair, along with Rachel Saunders of the Center for Marine Conservation, now called the Ocean Conservancy. Other members included the League of Women Voters, Sierra Club, Coastal Advocates, Friends of the Sea Otter, Defenders of Wildlife, Monterey Dunes Coalition, and the Surfrider Foundation.

Also participating was long-time environmentalist and respected Pacific Grove resident Jo Stallard, who also served on a committee formed by Leon Panetta and his wife and unpaid advisor, Sylvia Panetta, to help guide discussions about the rules that would govern the new Sanctuary. That group also included Monterey County Agricultural Commissioner Dick Nutter, fisherman Dave Danbom, then-State Assemblymember Sam Farr, State Senator Henry Mello, and others.

After Panetta obtained congressional approval for a marine sanctuary for the region, the federal government began to consider seven options for its boundary and size. The Environmental Working Group supported "Option Five," to protect an area stretching from Cambria in San Luis Obispo County, to Point Reyes in Marin County.

Representing Save Our Shores, I also worked with the Association of Monterey Bay Area Governments (AMBAG) and the Center for Marine Conservation in 1988 to develop yet another slide show and presentation, this one aimed at the potential benefits of the Monterey Bay National Marine Sanctuary. In Sacramento, a bill by then-Assemblymember Jacqueline Speier of San Mateo sought to memorialize the largest boundary. It sailed through until then-Assemblymember Tom Bates of Oakland inquired as to whether the Port of Oakland, which was expanding and deepening its port and shipping lane, could continue to dump its dredge spoils in an area which would have been within that largest boundary. Since it was a symbolic bill and there was other work

to do, I did not object to amendments that would urge allowing that practice to continue. The issue came up again. Once the Sanctuary was in the final planning stages, Governor Wilson included a provision in the plan that allowed that dump site to continue until its useful life was complete.

Crying Over Spilled Oil

Speaking of shipping lanes, the U.S. Coast Guard began an effort in 1989 to receive public input on a plan to potentially allow offshore oil to co-exist with tanker traffic lanes offshore. The Coast Guard effort ran parallel with advocacy by SOS and other groups for well-defined, mandatory oil tanker shipping lanes off California between Point Año Nuevo and Point Arguello and a stronger approach to oil spill preparedness. In the end, the shipping lanes were advisory and were fifty miles offshore. But it was state and federal oil spill laws approved in 1990, approved in the aftermath of the Exxon Valdez spill in 1989 and the American Trader spill in Huntington Beach in 1990, that provided the funds for oil spill response and preparedness. The best one could hope for in a spill is containment, especially in the turbulent seas off central and northern California. In 1992 a Monterey Bay task force formed to look at oil spill response preparedness in the region. I worked on both of these projects and my predecessor as Executive Director of Save Our Shores, Vicki Nichols, continued the work after I left the organization's staff.

Intertidal Invertebrates and a Presidential Election

As a result of these external events, public support for the largest boundary alternative for the Monterey Bay National Marine Sanctuary grew, and it ultimately gained support from Panetta and Republican Representative Tom Campbell, plus both of California's U.S. Senators.

Before that larger boundary option became popular and even politically possible, Panetta supported a smaller version believing that it was what would be approved in Congress, and if the bill were put up for a vote in 1990 as was planned, he would have been correct. But a delay in that decision until the 1992 presidential election changed everything.

Nineteen ninety was two years before a presidential election, and I'll discuss shortly why that made the difference between a smaller boundary that would have left some coastline open to offshore oil development, and one that would protect one quarter of California's coastline. Those who initially supported the latter alternative, called

Boundary Option Five, included State Senator Henry Mello, as well as a variety of Monterey Bay local governments. But approval of this larger area represented by Boundary Option Five was contingent on proof that it contained a continuous, diverse ecosystem. A case was made using profiles of the region's unique biology which were produced by a consortium of six central coast counties, led at the staff level by Marin County planner Warner Chabot.

Chabot drew upon his considerable Rolodex of contacts in the environmental and research communities to build a pre-internet model on paper of what the region's biology looked like. The political leadership consisted of one supervisor from each of the six counties. The profile was built as a response to potential offshore oil development, but it also boosted biotic inventories kept by resource managers in and out of government.

A key goal was to stretch the proposed refuge's boundary north from Santa Cruz to the southern boundary of the Gulf of the Farallones National Marine Sanctuary. A key biological argument involved the Fitzgerald Marine Reserve, just north of Half Moon Bay. It is one of the most biologically diverse intertidal regions in California, said to be equal to Point Lobos in its complexity, and is perhaps best known for its diverse population of invertebrates. Bob Breen, Fitzgerald's naturalist and ranger from 1969 to 2004, told me this for publication in my *Santa Cruz Sentinel* column in 2010:

Moss Beach is the last large and complex rocky intertidal below the Golden Gate and has a number of attributes. These were the presence of six endemic species and 25 species new to science discovered here. Over 50 species have their range limits at Fitzgerald. This of course has changed because of ocean warming, which has seen the migration of southern species into Moss Beach and the movement of species that formerly had their northern range limit here to move farther north.

While the scientific case for the larger boundary was being developed, public concern had been catalyzed by two significant oil spills: Alaska's tragic Exxon Valdez tanker spill in March 1989, followed by the American Trader tanker spill off Huntington Beach, California in 1990. Although oil tankers pose a greater risk for spills than offshore oil drilling, and although supporters of drilling argue that tinkering in oil from distant sources is more dangerous, these accidents illustrated oil's effect on marine and coastal ecosystems.

The 1990 designation was delayed for two reasons. The first was concern that the first Gulf war in 1990 would heighten the public's anxiety about the U.S.'s oil supply, not a

good time to discuss locking up a source of domestic oil on California's coast. And secondly, there was only two NOAA staff, Mark Murray-Brown, Ralph Lopez, working on this massive project, with little help. Dr. Jim Rote, an associate of then-State Assemblymember Sam Farr described piles of letters, applications, and proposed rule changes stacked high in in-boxes in NOAA's headquarters, indicating a crushing backlog and delay.

An Oil Man Defies his Own Industry

Around this time, President George H.W. Bush, who had been in the Texas oil business, appointed a task force to study offshore oil, which made its recommendations in 1990. Definitive action, however, would come two years later.

In fact, Bush's final action reflected the public's concern, which played into presidential politics. Running for reelection in 1992, polls of California voters showed that President George H.W. Bush was behind his opponent, Bill Clinton. Bush needed the state to win reelection and to do that, political professionals argued that he needed to secure the votes of moderate Republicans and independent voters.

Republican political consultant Stuart Spencer, a veteran of Ronald Reagan's campaigns for governor and president, proposed that Bush tap into voter concern for coastal protection. After all, that issue drew 4,000 people to public hearings in Monterey, Santa Cruz, and Half Moon Bay about the Sanctuary, nearly all advocating the largest boundary. So, in June 1992 the White House announced a ten-year moratorium on offshore oil in California and elsewhere, and that the federal government would implement the largest boundary for Monterey Bay Sanctuary, which would place waters out to 200 miles offshore off limits to oil development, from a point just south of the Monterey/San Luis Obispo County line, north to the southern boundary of the Gulf of the Farallones National Marine Sanctuary (also off-limits to oil development) off San Francisco and Marin.

Not all elements of the announced sanctuary plan were what the environmental community wanted, but to scrap it and start over after election season most certainly would have put the protections it offered at risk.

"The Promise," a Doughnut Hole and Jet Skis

The push for the largest boundary and strongest regulations involved a very large grassroots effort. Action alerts were mailed, phone calls were made, and the response

was overwhelming. Thousands of people were engaged with the building of the Sanctuary. Their primary concern was offshore oil. But there were other activities that had to be examined as we worked on the final blueprint: water pollution from storm drains, sewage treatment, motorized personal watercraft, airplane overflights, and fishing, to name a few.

In developing the actual details of the plan, I supported one element that other environmentalists did not: Panetta promised the fishing community, and it was written into the final environmental impact statement and management plan for the Monterey Bay National Marine Sanctuary [MBNMS], that the Sanctuary itself would not further regulate fishing. That responsibility would continue to be in the hands of the California Department of Fish and Game, and the National Marine Fisheries Service. Previous efforts to get Sanctuary designation had been defeated due to the influence of the fishing community. It was clear to me that we needed their neutrality—their support we would never get—to obtain our dream, so I joined in with the promise. From 2001 to 2007, I served on the Monterey Bay National Marine Sanctuary Advisory Council as recreation representative and voted consistently on the fishing community's side relative to the additional regulation of fishing, often providing the additional vote necessary for their victory.

Mark Murray-Brown brought up the issue of motorized personal watercraft, aka jet-skis, at the last minute as the rules were being written. As I was writing the final draft of the Environmental Working Group's Action Alert, I called Tom LaHue of the Surfrider Foundation to ask him what he thought. "We should take the position of banning them," he said, "but we can change that later." NOAA finally agreed to keep jet skis confined to four zones accessible by corridors from each of the four harbors in the MBNMS.

In fact, over the years technology made motorized personal watercraft less polluting but there were still issues with the harassment of marine mammals. In the late 90s, surfers began to use them to tow to big waves, and the surfing community's view of them changed. During the management plan review in the 2000s, a broad-based task force recommended narrowly that the four zones be kept and a fifth be created at Maverick's for tow-ins during the surf contests there.

Warts and All

The final plan had some problems. Governor Pete Wilson's administration had consulted with NOAA, as it was legally bound to do, on the final configuration. I saw the plan and was concerned, so after a phone call to Michael Kahoe, deputy director at the

California Environmental Protection Agency, Rachel Saunders and I drove to Sacramento to try and convince him to fix problems with the final version of the Sanctuary.

One such problem was the Port of Oakland dump site, and another was a “doughnut hole” off of San Francisco’s Ocean Beach where stricter rules governing sewage treatment would not apply. The city and county of San Francisco operated a combined storm drain-sewer system in which during periods of heavy rain, untreated sewage would overflow into storm drains. There was another area where we did not get what we wanted: there was no requirement for tertiary treatment of all sewage as we had requested.

The city of Santa Cruz and the city of Watsonville were also caught up in this requirement for a higher level of water treatment. Santa Cruz’s progressive political community split over whether to spend the funds necessary to go to the highest of treatment, and they chose not to. Watsonville had until 1998 to get there and they are now at an advanced secondary level.

The meeting Rachel and I attended with Mike Kahoe in Sacramento ended with him very clearly telling us that the plan, flaws and all, were final. Later Kahoe called me and asked if I had recommendations for two open seats on the Central Coast Regional Water Quality Control Board with two conditions: they had to be Republicans or supporters of Governor Pete Wilson. I immediately called Tom LaHue, a member of the Environmental Working Group who helped to form the Santa Cruz Chapter of the Surfrider Foundation. He was a veterinarian and had some knowledge of water quality issues.

I asked Tom what political party he was a member of, and he indicated that he was an independent. I asked him if he wanted to serve on the regional board and he said yes. “So,” I replied, “you’ll have to re-register as a Republican.” He did.

The second choice for the regional board had to be from local government. That one was convenient: then-Santa Cruz County Supervisor Jan Beautz was a Republican and an environmentalist. She had already expressed interest in the post.

The big question for the coalition that wanted permanent protection for central California waters was this: was the Sanctuary plan that was drawn up, with all its compromises, acceptable? There was also a second key question. If this plan didn’t gain approval, would we ever again see the likes of a similar plan that could protect one quarter of California’s 1,100-mile coastline again?

One Last Bump in the Road

Considering that 1992 was a presidential election year and that for one rare instant those who wanted to protect the environment had the upper hand, it was likely that such an opportunity would not have arisen again. If we had waited too long, the confluence of three critical elements—public desire for strong protection, the political opportunity to make it happen, and a coalition to advocate it—would likely have receded.

So the answer was that we would go with what we had. Because of that, most of the environmental community supported the plan. We went so far as to speak out against a *New York Times* advertisement by some well-known environmentalists, including the now-late David Brower, urging that the admittedly flawed plan should be scrapped and rewritten. The ad had been spotted by Dr. Jim Rote, who worked closely with State Assemblymember Sam Farr as policy consultant to the legislature's Joint Fisheries Committee and was later a professor. Dr. Rote called me and said, "This can kill the whole thing; it could give Trudy Coxe cold feet." Ms. Coxe was the head of the National Marine Sanctuary program, a former Republican congressional candidate who kept a close eye on how the Sanctuary would play on Capitol Hill and key constituent groups.

According to Stuart Spencer's formula for a successful reelection for President Bush, the point of approving the largest sanctuary boundary creating a large, oil-free zone was to excite environmentalists. Dr. Rote felt that if Coxe concluded that environmentalists were not excited by the plan, then she may very well pull the plug on it.

In addition, the ad contained an awkwardly worded request that readers call Monterey Bay Aquarium Executive Director Julie Packard, who had played a behind the scenes role to promote strong protections, to demand that she lobby to dump the plan. Ms. Packard's work telephone number was printed in its text. Ironically, the ad was organized by one member of the Environmental Working Group, representing the now-defunct organization Coastal Advocates. Interestingly she had not objected to changes in the plan as it evolved. Not until, that is, the ad appeared. It was designed to frighten the White House and NOAA, and for a day or two it did.

The Environmental Working Group was not meeting formally towards the end of the process but telephone and fax communications provided for quick decisions by members and other key players. This loose-knit group knew that a delay in implementing what was emerging as a final plan would push its designation past the election cycle, making it more difficult, and probably impossible, to obtain a permanent

ban on offshore oil drilling on such a long stretch of coast. We knew that a delay would be the end of our dream.

So we launched a last-minute, aggressive effort to speak out against the ad. The few supporters of our effort that the ad had managed to influence, such as attorney and Democratic activist Edward

F. Newman, were subsequently convinced that the plan, flawed as it was, needed approval. Fears in California and Washington, D.C, were calmed, and the effort to finish the blueprint was back on track.

In the end, there was no delay. The largest marine sanctuary in the continental United States was christened September 21, 1992.

*Originally published as an appendix to *Ocean Odysseys: Jack O'Neill, Dan Haifley, and the Monterey Bay National Marine Sanctuary*