Public Comment to the California Ocean Protection Council

Date	Name	Affiliation	Subject of Communication
06-13-2005	Thomas H. Brown		Japanese dolphin slaughter
06-19-2005	Joey Racano		Ocean Protection Council: new developments including research strategy, project priorities, and upcoming economic summit
06-23-2005	Mike Sweeney	Nature Conservancy	Meeting of the Ocean Protection Council. Fridav, June 10th, 2005
06-24-2005	Joey Racano		The 'A-B-C' Plan
08-17-2005	40 Signatories	Clean Coast Coalition	Support for Senate Bill 658 (Kuehl) The Coastal Environment Motor Vehicle Mitigation Program.
09-15-05	Betty Olson	U.C.Irvine	Support for various proposed OPC Projects

Thomas H. Brown "The Dolphins' View" 1810 Franklin St. Berkeley, CA 94702 (510) 845-5318 dolphintom2002@yahoo.com June 13, 2005

Copies sent to: ____

Date:

Chairman Mike Chrisman California Ocean Resources Management Program The California Resources Agency 1416 Ninth Street, Suite 1311 Sacramento, CA 95814

Dear Mr. Chrisman,

Thank you for the excellent work you, your agency, and the California Ocean Protection Council are doing on ocean related matters. Your agency has a broad mandate. As stated on your website: "The 1991 amendments to the California Ocean Resources Management Act transferred all responsibility for marine and coastal resource management programs to the Secretary for Resources. Duties and responsibilities transferred include ... any other involvements in marine and coastal resource matters." Furthermore, encouraging responsible stewardship is stated as your first goal.

To encourage responsible stewardship of the oceans, I respectfully request that your agency add its voice to an international issue that most Californians would denounce. A statement condemning Japanese dolphin slaughters supported by prominent environmental organizations is enclosed, along with petitions asking the Japanese government to stop issuing permits for killing dolphins. Please send a non-binding resolution or statement from your office to the Japanese Embassy and Consulates in Los Angeles and San Francisco asking the Japanese government to stop issuing permits for dolphin slaughters. Thank you for your consideration.

May your waters be clear and calm Thomas H. Brown, AKA Mookeeo

www.thedolphinsview.com

Author of "The Dolphins' View," a science fiction trilogy Infinity Publishing, trade paperbacks with subtitles: Book 1: "Transformation," ISBN 0-7414-1867-3 Book 2: "Impossible Dream," ISBN 0-7414-1868-1 Book 3: "Hannibal Invades Washington," ISBN 0-7414-1869-X

As a speaker, Mookeeo inspires people with "Follow Your Dream, No Matter How Impossible It May Seem," an inspirational talk for civic organizations and "The Wonders and Perils of Dolphins," an educational presentation for schools and environmental organizations.

PRESS RELEASE, WORLD OCEAN DAY, JUNE 8, 2005

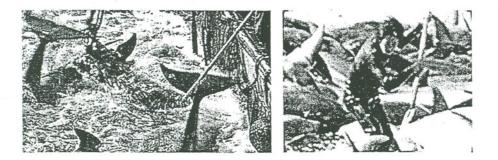
Environmental Groups Condemn Japanese Dolphin Slaughters

Dolphin Trainers Support Slaughters

Somebody wants to kill Flipper. Fishermen have been slaughtering dolphins and their pilot whale cousins for more than 400 years, most notably in Taiji, but also in Futo and several other Japanese coastal fishing communities. There are cultural differences between their perceptions and those of Americans and other Europeans. Japanese fishermen, in particular, do not see dolphins as intelligent mammals, but as competitors for fish and some are proud of their skills as dolphin hunters. The Japanese also see dolphins and whales as they see fish – on the menu.

In 1980, there was a great protest when U.S. videographer Hardy Jones filmed the brutality of Japanese fishermen and dolphin blood splashed onto American TV screens. A boycott was threatened and the protest had repercussions in Japan. Most Americans thought it stopped, but after the issue died down the fishermen became skilled at hiding the practice and most Americans are not aware that it continues. Today, annual dolphin slaughters take place with the support of small village communities and with permits issued from the Japan Fisheries Agency. Recently, three environmental groups, One Voice, Earth Island, and Elsa Nature Conservancy formed a coalition to try to stop it.

In the "drive" fisheries, the fishermen find a pod of dolphins, lower stainless steel poles into the water and beat the poles with hammers. Sound travels faster in water, creating a wall of deafening noise, frightening the dolphins into a state of panic. Maneuvering their boats and continuing to hammer the poles, the fishermen drive the dolphins toward shore and trap them in nets in shallow water. Sometimes the fishermen leave them trapped overnight, exhausting the frightened dolphins gasping for air as they ponder their fate. More often, they begin the butchery right away by driving hooks into their bodies and stabbing them with butcher knives until they bleed to death. The dolphins thrash about in pain, emitting loud whistles and cries, watching their companions die, and taking as much as six minutes to die a torturous death themselves while the water turns red with blood.

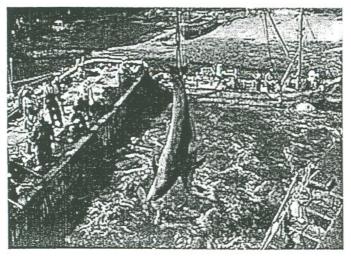


Left: Trapped in a net inside shallow water, fishermen use poles with hooks and butcher knives to slaughter dolphins. Photo courtesy Elsa Nature Conservancy, Japan, 1999 Right: Fisherman spearing dolphins. Photo courtesy Hardy Jones, Blue Voice

Recently, fearing an international, as well as a domestic outcry, the fishermen have used extreme measures to hide their deeds. Hostile tactics are used to keep Westerners and Japanese tourists away from a small cove hidden between two mountains where they kill dolphins. "Keep Out!" and "No Trespassing!" signs of warning are attached to metal chains, which are tied to trees along paths leading to the killing cove. Taiji local government passed a law banning visitors from climbing the mountain where the killing can be viewed. Walls of fabric at the top of the mountain and barbed wire tied around the trees where the massacres can be photographed hide the bloodbath and blue tarp erected over the killing cove blocks the view by boat or helicopter.

Despite the obstacles, several American and international environmental organizations have been bearing witness. "This is the largest dolphin slaughter in the world, and the cruelest thing that I have ever witnessed in my 40 years of working with dolphins" says Richard O'Barry, former trainer of the TV-star *Flipper*. O'Barry and his Danish wife Helene, work for One Voice, a French animal protection organization. Along with Earth Island Institute, the American environmental organization that started the call for dolphin-safe tuna, and Elsa Nature Conservancy of Japan, they documented the dolphin slaughter on site in Taiji.

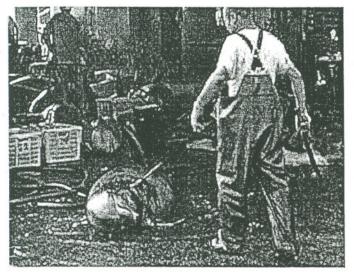
Jones co-founded BlueVoice.org with actor Ted Danson and filmed Futo again in 1999. Blue Voice has also worked with the Whale and Dolphin Conservation Society of Great Britain on this issue. After an international outcry, the Futo drive fishery stopped for five years. In 2004, Elsa Nature Conservancy charged that marine parks caused a revival of the drive hunts. Using information supplied by Elsa, Humane Society International reported that one hundred dolphins were driven into Futo port, fourteen were captured and sold to marine parks, at least four drowned in the nets, five were butchered inside a tent to hide the carnage from the public, their meat carried away in buckets, and one was tagged with a transmitter to stage a deception of "scientific" research. Then the rest were released.



Still alive, two dolphins are lifted to a processing deck. Photo courtesy Elsa Nature Conservancy, Japan, 1999

In Taiji, Ric and Helene O'Barry observed members of the International Marine Animal Trainers Association (IMATA) participating in the hunt, sparing a few selected dolphins but condemning them to a life of captivity in marine parks. But even those spared are subject to violence and extreme distress. They saw mothers and babies separated by force and dolphins dragged to shore with ropes around their flukes. Beached animals accidentally beat each other up in their frenzy to get back into water. Some got entangled in the nets and drowned. "The public will be shocked to learn that the inhumane and brutal slaughter of dolphins in Japan is supported by the dolphin captivity industry," Helene O'Barry reported.

The global demand for swim with dolphins programs is fueling a greater demand for captive dolphins. The dolphins selected for captivity fetch substantially higher prices than those slaughtered for their flesh. Without the premium price paid for captives, the economic viability of the slaughters would be more difficult to maintain. Sakae Hemmi, representing Elsa, stated: "If the captive industry had not demanded dolphins, Futo would not have carried out the drive fishery" in 2004.



Dolphin bleeding to death after a fisherman cut its carotid artery. Photo courtesy Elsa Nature Conservancy, Japan, 1999

Ironically, the Japanese citizens who eat dolphin meat are also victims of the slaughters. Toxins accumulate in predators like dolphins at the top of the food chain. Dolphin meat sold in Japanese stores has been found highly toxic. When a team of scientists tested hundreds of samples of whale and dolphin meat sold in Japanese stores, they found, on *average*, mercury concentrations five times greater than the allowable level and methyl mercury four times the allowable level. In addition, toxic concentrations of cadmium, PCBs, and DDT are also found in dolphin meat. Yet the Japanese government provides no warning to consumers that eating dolphin meat is a serious health hazard.

In the late 1980s U.S. marine parks also participated in purchasing dolphins obtained from the drive hunts. Recently, U.S. marine parks have issued statements condemning the cruelty of drive hunts. However, they have not condemned captures from the drive

hunts or requested Asian marine parks to stop acquiring dolphins obtained from the drive hunts.

Despite the fishermen's efforts, the teamwork of groups such as Earth Island, One Voice, Elsa Nature Conservancy of Japan, and Blue Voice have managed some success. A video of the hunt recently aired by the BBC in a documentary entitled "Dolphin Hunters." Humane Society International and other environmental organizations also teamed to support U.S. Senator Frank Lautenberg, who introduced Senate resolution SR 99, condemning the drive hunt and urging countries like Japan to end this brutal practice.

What you can do: Dolphin supporters will be invited to a peaceful protest in October. Details will be announced soon on http://www.earthisland.org/saveTaijiDolphins. More information, including video footage and photos is available from Earth Island Institute, phone (415) 788-7324, web http://www.earthisland.org/saveTaijiDolphins and from Blue Voice, http://www.bluevoice.org. SR 99 is at http://frwebgate.access.gpo.gov/cgibin/getdoc.cgi?dbname=109_cong_bills&docid=f:sr99is.txt.pdf

Statement by Mookeeo

Author of "The Dolphins' View" trilogy www.thedolphinsview.com (510) 845-5318, dolphintom2002@yahoo.com

Contacts:

Ric O'Barry, One Voice, www.savetaijidolphins.org Hardy Jones, Blue Voice, contact@bluevoice.org. Sakae Hemmi, Elsa Nature Conservancy, PAH03724@nifty.ne.jp

Mookeeo invited other environmental organizations to join in stopping dolphin slaughters. The environmental organizations listed below also condemn the dolphin slaughters but have not necessarily endorsed Mookeeo's statement. The environmental organizations support Senator Lautenberg's resolution and call upon the Japanese government, including Mr. Junichiro Koizumi, Prime Minister of Japan and Mr. Fumio Tahara, Minister of Fisheries to stop issuing permits for dolphin drive hunts.

Sierra Club, United States	Sierra Club, Canada
Ocean Conservancy	Natural Resources Defense Council
Greenpeace	The Humane Society of the U.S.

Contact information for the above groups available from Mookeeo upon request.

Thomas H. Brown "The Dolphins' View" 1810 Franklin St. Berkeley, CA 94702 (510) 845-5318 dolphintom2002@yahoo.com June 11, 2005

Mr. Makoto Yamanaka Consul General Japanese Consulate 50 Fremont St., Suite 2300 San Francisco, CA 94105-2218

Dear Consul General Yamanaka,

On World Ocean Day, June 8th, I delivered a statement to your office protesting dolphin slaughters in Japan and requesting your government to stop issuing permits for dolphin drive hunts. The statement showed international and Japanese organizations bearing witness to the slaughters and was endorsed by prominent environmental organizations. I can provide contact information if you need confirmation. I also provided petitions signed by 154 U. S. citizens requesting your government to stop killing dolphins. Please acknowledge our concern and express our views on this issue to your government. Thank you for your consideration.

May your waters be clear and/caln

Thomás H. Brown, AKA Mookeeo www.thedolphinsview.com

Author of "The Dolphins' View," a science fiction trilogy Infinity Publishing, trade paperbacks with subtitles: Book 1: "Transformation," ISBN 0-7414-1867-3 Book 2: "Impossible Dream," ISBN 0-7414-1868-1 Book 3: "Hannibal Invades Washington," ISBN 0-7414-1869-X

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Cc: U.S. Senators Barbara Boxer, Diane Feinstein Congresswoman Barbara Lee

Michael Chrisman, California Ocean Protection Council One Voice, Earth Island, Elsa Nature Conservancy of Japan Sierra Club, NRDC, Greenpeace, Ocean Conservancy, U.S. Humane Society

Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN

January, 2005

Dear Prime Minister Koizumi:

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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN

January, 2005

Dear Prime Minister Koizumi:

1) Name print Anna Andersen Sig	
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Address 155 BRONT ST. S.F.	A 94110
3) Name print Marieta Hansen Sig Address 2633 Telegraph Oa	kland, ch 94612
4) Name print Doug Kagawa Sig Address 1055 Curtis St., Alb Ju	
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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN

January, 2005

Dear Prime Minister Koizumi:

1) Name print Address 22 2) Name print Address 226 3) Name print GERDA VAN SENTEN Sign Address 1342-28th FRANCISCO TIMER Sign 4) Name print WILLIAM Address 3872 ND FRANCISC 5) Name print Norman Lier Sign Address 38 6) Name print DAVID U EL Sign ART Address 3512 Randolph OAKana 94602 Ave Sign 7) Name print Km Address 33 Crescent CA 945 Sign 1/inson 8) Name print Mar Drie Address Sign 9) Name print tmi Address 341 a Sign 10) Name print Address

Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN

January, 2005

Dear Prime Minister Koizumi:

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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN June 2004

Dear Prime Minister Koizumi:

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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN June 2004

Dear Prime Minister Koizumi:

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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN June 2004

Dear Prime Minister Koizumi:

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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN June 2004

Dear Prime Minister Koizumi:

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2) Name print LAURA WHIS Address 97 SAN CHRLOS HVE	Sign Jacena Wais
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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN June 2004

Dear Prime Minister Koizumi:

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Mr. Junichiro Koizumi Prime Minister of Japan 1-6-1 Nagata-cho 1 Chome, Chiyoda-ku, Tokyo 100-8968 JAPAN June 2004

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----Original Message-----From: Joey Racano [<u>mailto:joeylittleshell@yahoo.com</u>] Sent: Sunday, June 19, 2005 2:04 PM To: Amber Mace Subject: Re: Ocean Protection Council: new developments including research strategy, project priorities, and upcoming economic summit

Please endorse my plan for Los Osos Morro Bay Cayucos Thanx

Thank you for your interest in the A-B-C Plan, a regional waste water treatment plan for the Morro Bay Estuary Watershed.

~The A-B-C Plan

regional problem, regional approach, regional solution~

by Joey Racano

The A-B-C Plan is named for the cities it would involve and the site on Los Osos Valley Road that would be its treatment hub.

'A' is for Andre, the out-of-town area where the main treatment would take place, including primary, secondary, tertiary and quarternary (ponding system) levels.

Contrary to some distributed misinformation, the owners of this site say they have never been contacted and would indeed be willing sellers.

 $^{\prime}\text{B}^{\prime}$ is for the cities on the bay, of which there are two, Morro Bay and Los Osos.

'C' is for Cayucos, a city currently sending the sewage it generates to Morro Bay for treatment (or lack thereof as Morro Bay holds a 301(h) waiver, allowing it to dump sewage into the ocean at a depth of 50' through a 27" pipe, with less than full secondary treatment -and all at a distance of less than 2800 feet from shore.

The fact that Cayucos already sends its sewage 'product' to the Morro Bay Waste Water Treatment Plant means that much useable infrastructure is already in place and would need only be 'sleeved' as was recently done successfully and cost-effectively in Huntington Beach, California.

Some unsleevable pipes, etc would have to be replaced, also the case in Morro Bay, where -as in Cayucos- flaws in the deteriorated system make it subject to surcharge during rainstorm events and emergency.

The waste water from both Morro Bay and Cayucos would be sent either to the main WWTP at the Andre site via a pump station located in Morro Bay, or would take advantage of the 'Duke Option'.

The 'Duke Option' would mandate that Duke Power Plant purchase Morro Bay/Cayucos' waste water and use it, supplemented by cooling towers, instead of the estuary- for cooling.

This is already being done in Casa Grande Arizona, where the local power plant is required to buy the waste water and use it in their cooling process (resulting in a \$200,000.00 annual windfall for that city).

The 'Duke Option' would eliminate the single-pass cooling intake from destroying estuarine life and raise funds for the municipalities. It would also heat the waste water before it is sent -via a Morro Bay pump station- to the Andre Waste Water Treatment Plant.

This elevated temperature makes much of the waste water less expensive and energy-intensive to treat. Should Duke Energy opt to leave the coast, The A-B-C Plan would not be affected.

In Los Osos, the infrastructure would be built so as to send waste water directly to the Andre Waste Water Treatment Plant, eliminating the need to destroy several large and robust environmentally sensitive habitat areas, as well as to relieve poor and elderly residents within the 'exclusion zone' from footing the bill for the pollution of an entire region, including a large prison with a chronic habit of spilling raw sewage.

The A-B-C Plan:

*eliminates the Morro Bay sewage outfall (now dumping more than 1MGD of sewage and currently receiving only substandard treatment)

*eliminates the Duke Power Plants outfall (currently using a 316(b) thermal waiver to dump water heated far above ambient temperatures)

*eliminates the Duke Power Plants dangerous and destructive 'oncethrough cooling' intake, saving 1/3 of the larvae in Morro Bay National Estuary and many other marine creatures

*eliminates leach fields from 90% of the septic tanks used in Los Osos, replacing them with interceptors

*Moves the Los Osos Waste Water Treatment Plant (as currently proposed) off of the Monarch Meadows 'Tri-W' site

*protects another large environmentally sensitive habitat area by eliminating the leach field on the hillside at Broderson, and

*eliminates the need (during storm events) to dump raw sewage into the ocean from both the existing Morro Bay Waste Water Treatment Plant and the currently proposed Los Osos WWTP by moving these operations to the higher elevation enjoyed at the Andre (or one of two other) site(s).

Another enormous advantage of The A-B-C Plan is cost reduction for all involved. Cities of less than 10,000 just miss out on Low cost loans. A regional plan would make grants and/or these low-cost loans once again available.

Several reputable environmental organizations have already expressed an eagerness to help make this funding available should the A-B-C cities pursue the regional waste water treatment course.

Yet another advantage of The A-B-C Plan is it would send effluent to strategically positioned 'injection wells' to counter the salt water intrusion now threatening our aquifers.

Further, The A-B-C Plan provides effluent for irrigation to cemetaries and agriculture, eliminating the need for them to purchase fertilizer, or for them to continue tapping our aquifers of large amounts of pure water, better used for drinking reserves.

More of the effluent would stay on-site at the Andre* Waste Water Treatment Plant in percolation ponds, where it would mimic the natural percolation process, such ponds not only serving to recharge our thirsty aquifer, but also doubling as wildlife refuges.

Finally, The A-B-C Plan would utilize desalination technologies to process effluent, producing water so clean that organic matter must actually be added to give it taste -a process already being utilized by our astronauts.

Thank you for your interest in this important matter.

Clean water for life!

Joey Racano

Ocean Outfall Group

www.stopthewaiver.com

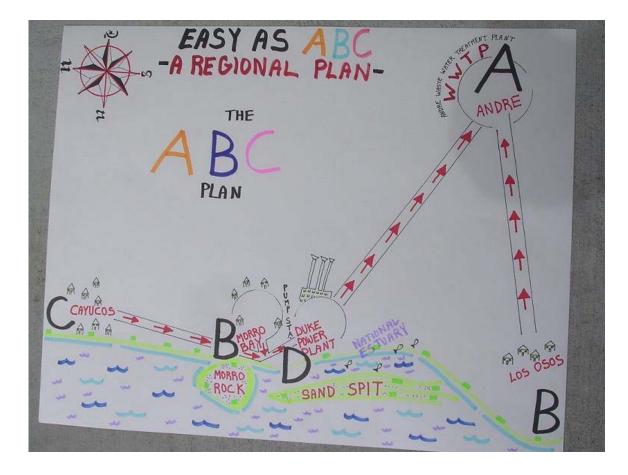
--- Amber Mace <amber.mace@resources.ca.gov> wrote:

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> MEMORANDUM
>
> TO:
          California Ocean and Coastal Community
>
           Brian Baird, Assistant Secretary for Ocean and
> FROM:
> Coastal Policy
>
          June 17, 2005
> DATE:
>
> SUBJECT: Ocean Protection Council: new developments
> including research strategy, project priorities, and upcoming
economic
> summit
>
> The California Ocean Protection Council held its second meeting on
> Friday June 10, 2005 in San Francisco. A brief summary of the
meeting
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> highlights are below, but first I want to call your attention to four > announcements from this meeting. > 1) The council adopted interim guidelines for funding, project > selection, and application procedures > http://resources.ca.gov/ocean/copc/6-10-05 meeting/application guidelines memo.pdf > http://resources.ca.gov/ocean/copc/6-10-05 meeting/application guidelines.pdf Please send public comment, with "OPC guidelines" > in the subject, line to tcorrigan@scc.ca.gov until July 18, 2005. If > you are interested in applying for project funds from the council, > please refer to these guidelines. 2) Council staff is soliciting public comment on the Draft > > California Ocean and Coastal Information, Research, and Outreach > Strategy > > http://resources.ca.gov/ocean/copc/6-10-05 meeting/research draft strategy.pdf > that was presented at the council's meeting. Please submit your > written comments by July 25 to COPCpublic@resources.ca.gov. The draft > strategy will be discussed at the California Ocean Science Trust > meeting, July 6, 2 p.m.-4 p.m., and public participation is welcome. > The meeting will be held at Martin Johnson House, Scripps Institution > of Oceanography, 9500 Gilman Drive, 0210, La Jolla, > California. > 3) Council staff is organizing the Ocean and Coastal Economic > Summit > with the California Biodiversity Council that will be held in Long > Beach, California, on July 21-22. Please download the invitation from > http://ceres.ca.gov/biodiv/oceans.html for more information. > > 4) If you were unable to attend the June 10, Ocean Protection > Council meeting, a video recording is available at http://www.slo-span.org/stateav.htm#Special%20Meetings > > > Meeting highlights > > Four new projects approved. The council approved four new projects > that will further the objectives of the California Ocean Protection > Act. These projects will provide funding for: > > 1) An underwater remotely operated vehicle to improve resource > management and protection in the Channel Islands marine protected > areas;

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2) A pilot project for the restoration of critical
>
eelgrass and
> native oyster habitat in the San Francisco Bay;
            3) A sediment study of Klamath River dams to develop
>
management
> recommendations for restoring native salmonid habitat;
            4) A pilot project to find and remove derelict fishing
gear in
> state waters.
>
> Federal affairs. The meeting included a discussion of federal
> affairs, including the letters sent by the council, the Governor, the
> Legislature, and the State Lands Commission on a variety of pressing
> federal issues. These letters address the following
> issues:
            1) Opposition to efforts to lift the moratorium on
>
offshore oil and
> gas;
            2) Support for the re-authorization of the Coastal Zone
>
Management
> Act;
            3) Commitment to protect state's role in siting Liquefied
>
Natural
> Gas facilities;
>
            4) Support for the U.S. ratification of the U.N.
> Resolution on Law of the Sea.
>
> Progress on Governor's Ocean Action Plan. The council was briefed on
> the substantial progress made towards implementing the Governor's
> ocean action plan including:
>
            1) California Ocean and Coastal Inventory of Relevant Law
>
(Action
> 2);
            2) California Ocean and Coastal Information,
>
> Research, and Outreach Strategy (Action 4);
>
            3) Education and Environment Initiative (Action 5);
>
            4) Efforts to reduce marine debris by state and local
governments
> (Action 13);
>
            5) Coastal Sediment Management Working Group (Ongoing
Action).
>
> For more information on the Ocean Protection Council and to access
the
> briefing documents for this meeting, please visit our Web site at
> http://resources.ca.gov/ocean/copc/.
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California Regional Office 201 Mission Street, Fourth Floor San Francisco, CA 94105

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nature.org

June 23, 2005

Secretary Mike Chrisman Secretary for Resources Resources Agency 1416 Ninth Street, Suite 1311 Sacramento, CA 95814

Re: Meeting of the Ocean Protection Council, Friday, June 10th, 2005

Dear Secretary Chrisman,

I am writing in response to public comments delivered at the meeting of the Ocean Protection Council on Friday, June 10, 2005 in San Francisco.

As you will recall, Donna and Kurt Solomon of Solomon Live Fish in Moss Landing, California, submitted verbal and written comments alleging that The Nature Conservancy and Environmental Defense made and reneged on commitments regarding a purchase of their business. While The Nature Conservancy has, in fact, been in discussions regarding the sale/purchase of the Solomon's live fish business and fishing vessel, at no time did our staff represent or commit to any type of transaction or timeframe. Similarly, at no time did The Nature Conservancy represent itself as an agent of the State of California or of the Ocean Protection Council or purport to act as an agent for Mr. and Mrs. Solomon.

As is customary, The Nature Conservancy began exploratory analysis to determine the nature and value of the assets in question. The valuation analysis of those assets began only recently, in April, 2005. Our staff made the exploratory nature of the discussions clear. Actual negotiations with Mr. and Mrs. Solomon regarding a sale/purchase have not yet begun. While Mr. and Mrs. Solomon may have desired an accelerated acquisition timeframe for various reasons, The Nature Conservancy never committed or promised such.

We regret that there has been such misunderstanding between The Nature Conservancy and Mr. and Mrs. Solomon. While there are a number of inaccuracies in their letter of May 17, 2005, I believe our statements above address the primary issues. If you would like further details regarding our involvement with Solomon Live Fish, please do not hesitate to contact me.

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Office of the factor of

Thank you for your leadership of the Ocean Protection Council. The Nature Conservancy looks forward to working with you and your colleagues to advance conservation of our marine environment here in California.

Sincerely, mule from

Mike Sweeney, Chief Operating Officer The Nature Conservancy of California

----Original Message-----From: Joey Racano [mailto:joeylittleshell@yahoo.com] Sent: Friday, June 24, 2005 11:37 AM To: joeylittleshell@yahoo.com Cc: LARiver@aol.com; Jim Press@toyota.com; ctierney@detnews.com; mboot@cfr.org; Alice@Ontariotravelbureau.com; shsh@charter.net; jasonhoar@agrifuels.com; reikiblossom@sbcglobal.net; eileen@down2earthspirit.com; kat elton@yahoo.com; audraresortillman@charter.net; greitz5@charter.net; lenboren@yahoo.com; hfastrologer@charter.net; dianebardwell@cox.net; bstark@naturesprite.com; governor@governor.ca.gov; Jajhome@cs.com; Kdonovan1@aol.com; meblososos@earthlink.net; newsroom@thetribunenews.com; GDAE2U@aol.com; MORJOEROB@juno.com; bmorem@thetribunenews.com; RobM@wallacegroup.us; vmmil@charter.net; busser@mymailstation.com; CarolMertesEA@aol.com; melodianne@sbcglobal.net; cmcbride@tenera.com; maryelgayman@aol.com; j k marrocco@sbcglobal.net; losososlisa@aol.com; kelly@baileymed.com; vopbooks@hotmail.com; philipsconsultinginc@yahoo.com; chris@theblueuniverse.com; laura@laurahyde.com; carl.pope@sierraclub.org; Amber Mace; oceanpublic@resources.ca.gov; classifieds@thebaynews.com Subject: The 'A-B-C' Plan by joey racano

Thank you for your interest in the A-B-C Plan, a regional waste water treatment plan for the Morro Bay Estuary Watershed.

Last week in Sacramento, the SWRCB (State Water Resource Control Board) voted to stop Pacific Lumber Co. from logging in two watersheds, setting a precedent;

No more approching water quality impacts on a myopic, piecemeal basis.

They ruled that the new WWWDR (Watershed-Wide Waste Discharge Requirement) was the new guiding rule in dealing with water quality.

Cumulative impacts must be dealt with together on a watershed-wide basis.

On the central coast of california, the sewer project in Los Osos -as currently ordered by the SWRCB- puts the SWRCB in direct conflict with the precedent the board itself just set!

The SWRCB should follow their own newly established watershed-wide water quality standard by embracing regional plans like the A-B-C Plan being offered as an advanced alternative for Los Osos, Morro Bay and Cayucos.

~The A-B-C Plan

regional problem, regional approach, regional solution~

by Joey Racano

The A-B-C Plan is named for the cities it would involve and the site on Los Osos Valley Road that would be its treatment hub.

Contrary to some distributed misinformation, the owners of these (at least 4) environmentally and ecologically superior sites say they would indeed be willing sellers.

'A' is for alternative, the out-of-town alternative wastewater treatment plant site where the advanced treatment would take place, including secondary, tertiary and quarternary (polishing ponding system) levels.

 $^{\prime}\text{B}^{\prime}$ is for the cities on the bay, of which there are two, Morro Bay and Los Osos.

'C' is for Cayucos, a city currently sending the sewage it generates to Morro Bay for treatment (or lack thereof as Morro Bay holds a 301(h) waiver, allowing it to dump sewage into the ocean at a depth of 50' through a 27" pipe, with less than full secondary treatment -and all at a distance of less than 2800 feet from shore.

The fact that Cayucos already sends its sewage 'product' to the Morro Bay Wastewater Treatment Plant means that much useable infrastructure is already in place and would need only be 'sleeved' as was recently done successfully and cost-effectively in Huntington Beach, California.

Some unsleevable pipes, etc would have to be replaced, also the case in Morro Bay, where -as in Cayucos- flaws in the deteriorated system make it subject to surcharge during rainstorm events and emergency.

The waste water from both Morro Bay and Cayucos would recieve primary treatment, be sent either to the advanced WWTP at the alternative site via the effluent pump station located in Morro Bay, or would take advantage of the 'Duke Option'.

The 'Duke Option' would mandate that Duke Power Plant purchase Morro Bay/Cayucos' wastewater and use it -supplemented by cooling towers-instead of the estuary, for cooling.

This is already being done in Casa Grande Arizona, where the local power plant is required to buy the wastewater and use it in their cooling process (resulting in a \$200,000.00 annual windfall for that city).

The 'Duke Option' would eliminate the single-pass cooling intake from destroying estuarine life and raise funds for the municipalities. It would also heat the wastewater before it is sent -via a Morro Bay pump station- to the Advanced Wastewater Treatment Plant.

This is already being done in Casa Grande Arizona, where the local power plant is required to buy the waste water and use it in their cooling process (resulting in a \$200,000.00 annual windfall for that city).

This elevated temperature makes much of the wastewater less expensive and energy-intensive to treat. Should Duke Energy opt to leave the coast, The A-B-C Plan would not be affected.

In Los Osos, the infrastructure would be built so as to send wastewater directly to the advanced alternative wastewater treatment plant, eliminating the need to destroy several large and robust environmentally sensitive habitat areas, as well as to relieve poor and elderly residents within the 'exclusion zone' from footing the bill for the pollution of an entire region, including a large prison with a chronic habit of spilling raw sewage.

The A-B-C Plan:

*eliminates the Morro Bay sewage outfall (now dumping more than 1MGD of sewage and currently receiving only substandard treatment)

*eliminates the Duke Power Plants outfall (currently using a 316(b) thermal waiver to dump water heated far above ambient temperatures)

*eliminates the Duke Power Plants dangerous and destructive 'oncethrough cooling' intake, saving 1/3 of the larvae in Morro Bay National Estuary and many other marine creatures

*eliminates leach fields from 90% of the septic tanks used in Los Osos, replacing them with interceptors

*Moves the Los Osos Wastewater Treatment Plant (as currently proposed) off of the Monarch Meadows 'Tri-W' site

*protects another large environmentally sensitive habitat area by eliminating the leach field on the hillside at Broderson, and

*eliminates the need (during storm events) to dump raw sewage into the ocean from both the existing Morro Bay Wastewater Treatment Plant and the currently proposed Los Osos WWTP by moving these operations to the higher elevation enjoyed at the alternatives.

Another enormous advantage of The A-B-C Plan is cost reduction for all involved. Cities of less than 10,000 just miss out on Low cost loans. A regional plan would make grants and/or these low-cost loans once again available.

Several reputable environmental organizations have already expressed an eagerness to help make this funding available should the A-B-C cities pursue the regional waste water treatment course.

Yet another advantage of The A-B-C Plan is it would send effluent to strategically positioned 'injection wells' to counter the salt water intrusion now threatening our aquifers.

Further, The A-B-C Plan provides effluent for irrigation to cemetaries and agriculture, eliminating the need for them to purchase fertilizer,

or for them to continue tapping our aquifers of large amounts of pure water, better used for drinking reserves.

More of the effluent would stay on-site at the Alternative Wastewater Treatment Plant in percolation ponds, where it would mimic the natural percolation process, such ponds not only serving to recharge our thirsty aquifer, but also doubling as wildlife refuges.

Finally, The A-B-C Plan would utilize desalination technologies to process effluent, producing water so clean that organic matter must actually be added to give it taste -a process already being utilized by our astronauts.

Thank you for your interest in this important matter.

Clean water for life!

Joey Racano

Ocean Outfall Group

www.stopthewaiver.com

Endorsements for the A-B-C Plan:

* A 9 1/2 year timeline surely gives the Cayucos/Morro Bay JPA, the wastewater treatment oversight agency for the two communities, sufficient time to explore all alternatives to the current 301 (h) waiver.

The A-B-C plan is an alternative that needs examination, so it can be embraced or dismissed. Its attractive for several reasons: it blends various proven technologies currently in use to address this unique situation; it arrests multiple environmental concerns; it's regional; possibly components can be used without utilizing the whole schematic. Practicality can only be determined through further investigation not unevaluated rejection.

Betty Winholtz, Morro Bay City Councilmember

*The "A-B-C Regional Plan", at its conceptual stage, appears to be a completely reasonable, viable and environmentally superior solution to alternatives that have been presented thus far to Los Osos citizens for a number of reasons:

1. It removes numerous environmental degradations that will be caused by the current Los Osos wastewater treatment plan that will destroy ESHA, raptor trees, endangered species, increase the risk of sewage spills directly into the back bay and endanger public health by siting a sewer treatment plant and sludge transport facility in the heart of a residential and community gathering area;

2. It would offer Los Osos the opportunity and ability to keep moving ahead with their plans to change the current project and location through election, initiative and project/permit amendment- (to move it out of town), while at the same time, allowing ample time for Morro Bay and Cayucos to hook up at a later date.

3. It utilizes innovative wastewater treatment technologies that can address our unique situation for combining the wastewater treatment needs of three coastal communities while protecting and improving the

health of our National Estuary;

4. By serving a greater population, a regional solution allows for more opportunity for federal funding and grants;

The "A-B-C plan, in its conceptual stage, appears to offer the citizens of Los Osos, Morro Bay and Cayucos an environmentally protective solution, a completely viable and more affordable alternative to the current individual plans that have been previously discussed.

I believe this plan needs a thorough and complete analysis by all communities, including full participation of the elected officials, agencies and the citizens. I am committed and would enjoy being part of a such a planning process that would allow all three communities to come together in pursuit of a 21st century solution to our collective water, wastewater management and conservation issues.

Lisa Schicker Los Osos CSD Director

*As Director of the Ocean Outfall Group, I endorse the A-B-C Plan for the Morro Bay, Los Osos, and Cayucos area.

Brilliant in its simplicity, the A-B-C Plan will solve many of the problems afflicting this area, known for the sensitivity of its coastal resources.

A regional approach is needed that solves the problems of sewage treatment and discharge, reclamation of wastewater, and discontinuing obsolete single pass power plant cooling that is so destructive to marine life.

The A-B-C approach locates sewage treatment plants away from population centers, institutes higher standards of sewage treatment before release into ocean waters, ends the single pass cooling, and reclaims the wastewater for reuse.

Certainly, this plan should be undergo full analysis and study as a viable approach to solving these regional problems.

The ecology and economy of the entire Morro Bay area depend on a solution such as this.

Jan D. Vandersloot, MD Director, Ocean Outfall Group

*The A-B-C Plan seems to be a sensible 'means to the end' of a 30 year Los Osos sewer saga. Had previous government Board's and Council's looked outside their own community and out into the vast Morro Bay watershed, we might already have a sewered Los Osos. With infrastructure costs what they are today, it makes sense to look at a regional, economy of scale, approach for a solution to coastal protection, depleted water supplies and ongoing pollution. I relish the idea that a coalition of activists, agencies and developers can work together to see a sensible solution to these negative impacts on our watershed. I congratulate us all for looking outside the box. I support further study of the A-B-C Plan.

Julie Tacker, Director Los Osos Community Services District

"Polite conservationists leave no mark save the scars upon the Earth that could have been prevented had they stood their ground."

David Ross Brower

Want to save the world but not sure exactly how to go about doing it? Get an e'mail copy of my book ('An Activist's Almanac') -just ask and I'll send it to you.

let's save the world!







August 17, 2005

Copies sent to: MT, BBDate: $8 \cdot 23 \cdot 05$

Clean Coast Coalition

The Honorable Mike Chrisman, Chair California Ocean Protection Council California Resources Agency 1416 Ninth Street, Suite 1311 Sacramento, CA 95814

Dear Secretary Chrisman:

We are writing to encourage your support for Senate Bill 658 (Kuehl) -- The Coastal Environment Motor Vehicle Mitigation Program. This bill will establish a coordinated, voluntary, state-local partnership to mitigate the degradation of our coasts and ocean caused by motor vehicles.

California's coast is the defining feature of our Golden State. And sustaining the health of our coast is essential to maintaining the health of our oceans. Unfortunately, many of the adverse impacts to California's coast and ocean come from motor vehicles and their infrastructure. These diverse impacts contribute significantly to water pollution, erosion and flooding, proliferation of invasive aquatic species, and interference with fish and wildlife migration.

Under the Coastal Environment Motor Vehicle Mitigation Program, each eligible County could choose to assess a small fee (up to \$6) upon motor vehicles in their county. The benefits of the fee would be returned to the county of origin through a variety of mitigation projects to be determined by the Coastal Conservancy, the counties and their local partners. Examples of projects and activities that the program could fund include:

- Reducing pollutants from entering our coastal waters from direct and nonpoint sources.
- Creating long-term solutions to coastal erosion by removing road-related impediments to historic natural sediment flows
- Providing natural filters for pollutants through wetlands restoration
- · Securing conservation easements on impacted coastal lands

Although motor vehicle owners pay a small fee to mitigate air quality impacts, no comparable program exists to address the profound impacts upon our ocean and coasts. Through this legislation, our neglected coasts and ocean can receive the focused and sustained attention they require.

For the annual cost of a couple of gallons of gas, coastal residents can help sustain the natural resources that keep our coast California's crown jewel.

For these reasons, we urge your support for Senate Bill 658.

Sincerely,

Paul Mason Sierra Club California

Darla Guenzler California Council of Land Trusts

Warner Chabrit

Warner Chabot Ocean Conservancy

Kate Wing

NRDC

Pete Price CLCV

Melva J. Bylow

Melva Bigelow The Nature Conservancy

ma Fastar

Suzanne Easton Bay Area Open Space Council

Laura Cohen Rails-to-Trails Conservancy

Scott Dosick California Association of Local Conservation Corps

Bruce Saito Los Angeles Conservation Corps

Steve Aceti California Coastal Coalition

Chuck Mills Trust for Public Land

Virgil Welch Planning and Conservation League

Dan Silver Endangered Habitats League

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Audrey Rust Peninsula Open Space Trust

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Patricia Martz California Cultural Resource Preservation Alliance

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Claire Schlotterbeck Hills for Everyone

Mulio a. Levi fulia Levin

Audubon California

Leslie Mintz Heal the Bay

Dan Jacobson / Environment California

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David Lewis Save the Bay

Grant Davis The Bay Institute

MarlaMonis

Marla Morrissey Morro Estuary Greenbelt Alliance

Me

Martha Ozonoff California ReLeaf

Barbara Dye Palos Verdes Peninsula Land Conservancy

ann M. Muscat

Ann Muscat Catalina Island Conservancy

Jon Libby Ventana Wilderness Alliance

Elisabeth)

Elisabeth M. Brown, Ph.D Laguna Greenbelt, Inc.

Richard Hawley Greenspace – The Cambria Land Trust

Cincly I'KCan

Cindy McCall Santa Barbara County ReLeaf

Juited Fr

Michael Feeney Land Trust for Santa Barbara County

Steve Harris Mountains Restoration Trust

Lois Lutz O Redwood Coast Land Conservancy

Kelly Quirke Friends of the Urban Forest

Joan O Keefe

Joan O'Keefe Atascadero Native Tree Association

Jean Nagy

Huntington Beach Tree Society

Deborah Jones

Deborah Jones Lakeside's River Park Conservancy

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Gerald Chapman Bolsa Chica Land Trust

handa Ber

Rhonda Berry Our City Forest

I. Church

Gail Church Tree Musketeers

Sharyn Romano Hollywood/Los Angeles Beautification Team

Sharon Burnham Tri-Valley Conservancy



Mike Chrisman, Secretary for Resources, Council Chair Cruz Bustamante, Lieutenant Governor, Chair of the State Lands Commission Alan Lloyd, Secretary for Environmental Protection Sheila Kuehl, State Senator, Ex officio Member Pedro Nava, State Assemblymember, Ex officio Member

September 15, 2005

Dear Chair Christman:

I would like to take this opportunity to comment on the items under the Project Section in the September 23, 2005 agenda.

A. Ocean Protection Council and Sea Grant joint-partnership for Ocean and Coastal Research

I would like to lend my support to the Ocean Protection Council and Sea Grant joint-partnership for ocean and coastal research. Many excellent reasons for supporting the partnership are mentioned in the letter of support from Dr. Ingram. Thus, I would like to like to second her points. I would also add that the rate at which information is growing makes such a partnership an excellent benefit to the state, which has the near impossible job of carrying out a number of regulatory functions and simultaneously gathering and interpreting new information as it becomes available. This type of partnership should aid the state in acquiring the information it has identified as needed, as well as aiding the state by examining subject areas that will arise in the next five years.

B. Sustainable Fisheries Revolving Loan Fund planning project

I lend my strongest support to this aspect of the agenda. As an elected official on a local water district, I have seen the Water Recycling Fund (previously referred to as SWRCB revolving fund) support many excellent projects. The low interest rate and the fact that the funds are repaid, allows the program to continue producing results through funds being available for future projects from which all Californians can benefit.

C. California and World Oceans Conference '06

I also believe that such a conference would help the visibility of the program and also extend the knowledge of the State.

D. Consideration of the Matilija Dam Ecosystem Restoration Program

No comment.

Sincerely,

Betty H. Olson, PhD. Professor Dept. Environmental Health Science and Policy Dept. Community and Environmental Medicine University of California, Irvine