

# Committee on Resources

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## Witness Testimony

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Testimony of

**BRIAN CALVERT**

Port Commissioner

Friday Harbor Port District, San Juan County, Washington State

Before the Subcommittee on Fisheries

Wildlife, and Oceans

21 March 1996

I am Brian Calvert and I am here because I am opposed to the proposed Northwest Marine Sanctuary. I am also here because I have a great respect for the unique marine natural environment that surrounds my home which is San Juan Island. In fact I live on a boat on that marine environment. I make my living with people who work on the water along with a great many of us islanders. I'm a northwest native. I was raised on the water. I'm a diver, a boater and an active outdoor enthusiast. I've been active in community groups and have served as Commander of the United States Power Squadron, Rear Commodore of the San Juan Island Yacht Club and was elected Port Commissioner in 1993. My life is intimately linked to the unique Puget Sound Waters and the San Juan Islands. I am greatly concerned about the future of my home waters. My future and the future of my friends and acquaintances depend upon the care and wise management of this area.

The proposed sanctuary designation is being protected by a range of state and federal shipping, marine transportation and dredging regulations. I do not believe it is necessary for one federal agency to coordinate the activities of other agencies through sanctuary designation in order to protect the resource sufficiently. Furthermore the sanctuary region is protected by the active efforts of citizens like me who are vigilant against anything that might harm this natural environment. I believe that active citizens working with local and state governments are the best and more efficient way of managing this resource. The further decisions, rule making and management gets from the place being managed, the less effective it will be and the less involvement you will find from people like me.

The Olympic Coast Sanctuary is the closest example of the proposed Straits Sanctuary. This program has three areas of concern: 1. It is not truly protecting wildlife as it claims. As we speak, the Makah Nation is preparing to begin whaling operations within the sanctuary with no apparent opposition from NOAA.

2. Overflight regulation virtually eliminates private aircraft from approaching the sanctuary whose presence can be helpful in observing spills and changes in the environment.

3. Of the nine seats on the citizens advisory council, four are tribes, two are federal agencies, two are state agencies and only one seat is available for local government which is further divided among three counties. The county seats are rotated from year to year which doesn't make it possible for a local government to lead the committee.

Power authorized by the Congressional Act is too broad. Sanctuary officials are given the authority to board, search and seize vessels suspected of violating sanctuary regulations. User fees are permitted for virtually every conceivable use of the state waters which up to now have been used freely for recreation, transportation and commerce. There is a lack of due process when shifting power to federal agencies. Citizens violating sanctuary regulations are in fact presumed guilty if their vessels are searched and seized on sanctuary waters.

Results of meetings don't reflect the feelings of the citizens in the region. Twenty Cities, Counties and Port Districts have passed resolutions opposing the imposing of a Federal Marine Sanctuary status on the area. One of our San Juan County Commissioners noted in their meetings that the Sanctuary Discussion Papers do not tell the truth about the opposition to the Marine Sanctuary. In addition the Washington State Senate and House of Representatives passed a resolution to withdraw state funding and support for the Marine Sanctuary. Using a partial veto, Governor Lowry eliminated the language that would have upheld the suspension of funding for the sanctuary.

The effort to establish a Sanctuary has been "in process" for eight years with the support coming from outside the immediate area. We live on an island. Transportation is difficult and time consuming. We have been attending meetings, writing letters and commenting on this proposal for the entire time. Our requests for information regarding the sanctuary proposal have often been blocked or delayed and information is lacking on the regulations we are supposed be held to if a Sanctuary were imposed on our state waters.

The regions Port Districts, Counties and Cities have taken stands against the sanctuary proposal. The Washington State House and Senate have suspended funding for the states participation in the sanctuary process. Many yacht clubs, fishing associations, the Washington Public Ports Association, the Pacific Northwest Waterways Association and a couple of Granges have taken stands against the proposal.

Because we feel strongly about these inland waters and place a high value on this unique marine environment we spend a lot of time and effort protecting it.

The State of Washington has just last week re-committed itself to the mission of the Puget Sound Water Quality Authority which conducted a long term study for ways to monitor and improve the water quality for the region. This is supported by all other agencies in the State.

My port district is typical of other local municipalities around Puget Sound. In it, we have citizens who spend their time, talent and money for marine protection. The San Juan Islands support the Islands Oil Spill Association which maintain through citizen and local business efforts the ability to provide a first response to oil spills.

The Association maintains thousands of feet of boom, boats and a monitoring network that is solely based on citizens who know their home waters.

The Friday Harbor Whale Museum monitors the health on our whale families and through an extensive volunteer program conducts research and informs visitors and local boaters of applicable portions of the Federal Marine Mammal Protection Act especially as they pertain to whales. Representatives from the Whale Museum came to our last Port Commission Meeting asking for assistance to re-print information giving whale watch guidelines. The Port Commissioners funded their request because we see protection of the waters as part of our mission.

San Juan County has taken the lead in establishing a moratorium on Personal Watercraft due their suspected impact on wildlife. The County also has supported efforts to establish the Puget Sound Water Quality Authority as an alternative to a Federal Sanctuary.

I believe our unique environment requires protection. However the efforts must be a local and regional one. The Federal Government is too blunt an instrument to manage the many sensitive issues needed to maintain water quality, maintain the unique quality of human life, the quality of our economy, the quality of marine habitat and the myriad of other issues which require balance and consideration.

We can use help in our efforts. We do however want to do it ourselves.

Thank You.

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