



PRESS RELEASE

FOR IMMEDIATE RELEASE: October 12, 2010

CONTACT INFO: Brian Segee, Environmental Defense Center, 805.963.1622 x109

COAST GUARD URGED TO PROTECT WHALES WITHIN SANTA BARBARA CHANNEL

**Hearings in Oxnard and LA Provide Public
With Opportunity to Speak Out for Whales**

Santa Barbara, CA—At public hearings to be held by the U.S. Coast Guard this week in Oxnard (Wednesday) and Los Angeles (Thursday), Environmental Defense Center will urge the agency to ensure that its current study of shipping routes into the Los Angeles and Long Beach Ports provides full protection to endangered whales, including blue, fin, humpback, and orca whales, from the threat of ship strikes. These protections are sorely lacking under the current port access system, as tragically illustrated in the fall of 2007, when at least five blue whales were struck and killed by ships within the shipping lanes currently designated in the Santa Barbara Channel. This August, a female blue whale believed to have been killed by ship strike washed ashore on San Miguel Island. The Channel hosts the densest known seasonal congregation of blue whales on the planet.

In addition to modifying or moving the existing shipping lanes, known as traffic separation schemes, the Coast Guard has the authority to institute vessel speed limits as part of the port access study process.

“The location of shipping lanes and the speeds at which ships travel are the two most obvious factors to consider in efforts to reduce the threat of ship strikes to large whales such as the blue and fin whale,” stated Brian Segee, Staff Attorney with Environmental Defense Center. “The Coast Guard has the clear authority to address both, and we are hopeful that the agency takes this important opportunity to help eliminate or reduce ship strikes within the Santa Barbara Channel.”

The Coast Guard study (known as a “Port Access Route Study,” or PARS) was catalyzed by shipping industry efforts to avoid compliance with a recent California Air Resources Board (CARB) rule requiring large ocean going vessels to burn clean, low-sulfur fuels within 24 nautical miles of the California coast, a zone that encompasses the entirety of the Santa Barbara Channel shipping lanes. Instead of complying with this rule—intended to reduce the rates of cancer in communities bordering the LA/LB Ports and throughout southern California—more than half of the ships are now traveling outside of the Channel Islands through what has been termed the “western approach.” This western approach

runs through the heart of the Point Mugu Sea Range, where the Navy conducts hundreds of live fire and training exercises each year, causing a clear public safety issue.

The Coast Guard's authority to designate traffic separation schemes is provided by the Ports and Waterways Safety Act (PWSA). Enacted in the wake of the 1967 grounding of the oil supertanker *Torrey Canyon* in the English Channel, the PWSA's two primary goals are "navigation and vessel safety," and "protection of the marine environment." The PWSA mandates that the Coast Guard conduct an open and transparent public process in conducting its Port Access Route Study, and specifically directs the agency to consult with a broad range of stakeholders, including environmental groups.

The Environmental Defense Center has a long history of whale conservation efforts. As a member of the Channel Islands National Marine Sanctuary Advisory Council, EDC helped craft recommendations intended to reduce ship strikes in Santa Barbara Channel, including recommended speed reductions. EDC has also taken legal action, including a formal notice threatening legal action against the National Marine Fisheries Service submitted last year alleging that the agency has violated the Endangered Species Act by failing to implement provisions of the Blue Whale Recovery Plan intended to reduce ship strikes.

The Environmental Defense Center is a non-profit public interest law firm that represents community organizations on environmental matters affecting California's south central coast. EDC protects and enhances the environment through education, advocacy, and legal action.

###