Board Agenda Item

TO: Air Pollution Control District Board
FROM: Aeron Arlin Genet, Air Pollution Control Officer
CONTACT: Mary Byrd, Community Programs Supervisor (961-8833)
SUBJECT: Support for H.R. 3682, Blue Whales and Blue Skies Act

RECOMMENDATION:
Authorize the Chair to sign the attached letter of support for H.R. 3682, the Blue Whales and Blue Skies Act, which would establish a national recognition program for shipping companies that voluntarily slow speeds in the Santa Barbara Channel region.

DISCUSSION:
On September 6, 2017, Congressman Alan Lowenthal (CA-47) introduced in U.S. Congress H.R. 3682, the Blue Whales and Blue Skies Act. Joining Congressman Lowenthal as original co-sponsors on the bill were Congressional Representatives Salud Carbajal (CA-24), Julia Brownley (CA-26) and Rohit Khanna (CA-17).

The Act (attached) calls on NOAA’s Office of National Marine Sanctuaries to create a Blue Whales and Blue Skies program to reduce air pollution, harmful underwater acoustic impacts, and the risk of fatal vessel whale strikes. The Act would establish a national recognition program for shipping companies that voluntarily slow speeds in the Santa Barbara Channel region.

The Act notes that the program will be modeled after the 2014 pilot Vessel Speed Reduction (VSR) Program administered by the Santa Barbara County Air Pollution Control District, Ventura County Air Pollution Control District, Channel Islands National Marine Sanctuary, Environmental Defense Center and National Marine Sanctuary Foundation. The Blue Whales and Blue Skies recognition program would be developed in consultation with the Commandant of the Coast Guard and with the 2014 VSR Program partners.

The Act also calls for an assessment, within a few years, of the feasibility of extending the
program to encompass all shipping channels along the U.S. Pacific Coast between Canada and Mexico.

In our successful VSR incentive programs of 2014, 2016 and 2017, we have worked to recognize the participating shipping companies, and this recognition has been meaningful to them. A national recognition of these companies for voluntary speed reduction through the Blue Whales and Blue Skies Act could help us achieve larger-scale participation in VSR initiatives, and significant additional air quality benefits.

ATTACHMENTS:

A) Blue Whales and Blue Skies Act, H.R. 3682
B) Support letter for H.R. 3682
Support H.R. 3682,
Blue Whales and Blue Skies Act

ATTACHMENT #A

Blue Whales and Blue Skies Act, H.R. 3682
To direct the Director of the Office of National Marine Sanctuaries of the National Oceanic and Atmospheric Administration to create a Blue Whales and Blue Skies Program to reduce air pollution and harmful underwater acoustic impacts and the risk of fatal vessel whale strikes by recognizing voluntary reductions in the speed of vessels transiting the Greater Santa Barbara Channel Region, California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

September 6, 2017

Mr. LOWENTHAL (for himself, Ms. BROWNLEY of California, Mr. CARBAJAL, and Mr. KHANNA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Director of the Office of National Marine Sanctuaries of the National Oceanic and Atmospheric Administration to create a Blue Whales and Blue Skies Program to reduce air pollution and harmful underwater acoustic impacts and the risk of fatal vessel whale strikes by recognizing voluntary reductions in the speed of vessels transiting the Greater Santa Barbara Channel Region, California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
1 SECTION 1. SHORT TITLE.

This Act may be cited as the “Blue Whales and Blue Skies Act”.

2 SEC. 2. BLUE WHALES AND BLUE SKIES PROGRAM.

(a) In General.—Not later than 12 months after the date of the enactment of this Act, the Director of the Office of National Marine Sanctuaries of the National Oceanic and Atmospheric Administration, in consultation with the Commandant of the Coast Guard, shall establish the Blue Whales and Blue Skies Program, to—

(1) reduce air pollution and harmful underwater acoustic impacts and the risk of fatal whale strikes by encouraging voluntary reduction in the speed of eligible vessels transiting the Greater Santa Barbara Channel Region; and

(2) annually award Blue Whales and Blue Skies Excellence Awards for verified successful participation in, and compliance with, the program by eligible vessels.

(b) Program Requirements.—The Director shall—

(1) model the program after the pilot Vessel Speed Reduction Program administered by the Santa Barbara County Air Pollution Control District, the Ventura County Air Pollution Control District, the Channel Islands National Marine Sanc-
tuary, the Environmental Defense Center (a non-
profit corporation established under the laws of the
State of California as in effect on the date of the en-
actment of this Act), and the National Marine San-
tuary Foundation, except the Director may not pro-
vide a financial incentive for participation in the pro-
gram; and

(2) develop the program in consultation with
the entities referred to in paragraph (1).

(c) ANNUAL AWARDS.—

(1) IN GENERAL.—Under the program, the Di-
rector shall annually award Blue Whales and Blue
Skies Excellence Awards to owners of eligible vessels
that have complied with the program during the pre-
ceding year.

(2) AWARD CONDITIONS.—As a condition of an
award under this subsection, the Director shall re-
quire, at a minimum, that each eligible vessel of the
awardee—

(A) transit the Greater Santa Barbara
Channel Region at speeds of 12 knots or lower,
or at a lower maximum speed as provided in
guidance established under the program; and

(B) participate in the Port of Los Angeles
or Port of Long Beach vessel speed reduction
program, respectively, if the vessel calls at that
port in the transit for which the award is con-
sidered.

(d) OFFICIAL SEAL.—The Director shall create an
official seal to be recognized as the symbol of excellence
in compliance with the program, that—

(1) may be used by shipping companies with eligi-
able vessels for which a Blue Whales and Blue
Skies Excellence Award is awarded under this sec-
tion;

(2) includes the name of the shipping company;

(3) includes the year for which such award was
made; and

(4) includes the percentage of transits through
the Greater Santa Barbara Channel Region by eligi-
able vessels of the shipping company in such year
that were in compliance with the program, cal-
culated as—

(A) the number of such transits, divided by

(B) the total number of transits through
the Greater Santa Barbara Channel Region by
all vessels of the shipping company in such
year, excluding transits directed by the Coast
Guard to proceed in excess of the speed require-
ments of the program.
(c) EXTENSION OF PROGRAM.—No later than 4 years after the date of the enactment of this Act, the Director shall—

(1) consider the feasibility of extending the program to encompass all shipping channels along the United States Pacific coast between Canada and Mexico; and

(2) report the findings and recommendations under paragraph (1) to the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate.

(f) LIMITATIONS.—Nothing in this section shall be construed—

(1) to require participation in the program;

(2) to authorize appropriations for, or the provision of, any financial incentive for participation in the program; or

(3) to authorize any action that affects navigation safety.

(g) DEFINITIONS.—In this section:

(1) ELIGIBLE VESSEL.—The term “eligible vessel” means a vessel that has been approved by the Director to participate in the program.
(2) PROGRAM.—The term “program” means the Blue Whales and Blue Skies Program established under this section.

(3) GREATER SANTA BARBARA CHANNEL REGION.—The term “Greater Santa Barbara Channel Region”—

(A) means such portion of the geographic zone used by vessels transporting goods to transit the area surrounding the Channel Islands, including the Santa Barbara Channel, California, as is designated by the Director for purposes of this section; and

(B) includes, at a minimum, the geographic area identified in the pilot Vessel Speed Reduction Program referred to in subsection (b)(1).
Support H.R. 3682,
Blue Whales and Blue Skies Act

ATTACHMENT #B

Support Letter
October 19, 2017

The Honorable Alan Lowenthal
125 Cannon House Office Building
United States House of Representatives
Washington, DC 20515

Re: H.R. 3682, Blue Whales and Blue Skies Act: SUPPORT

Congressman Lowenthal:

The Santa Barbara County Air Pollution Control District Board wishes to express support for HR 3682, the Blue Whales and Blue Skies Act. We thank you and co-sponsors Congressional Representatives Salud Carbajal, Julia Brownley, and Rohit Khanna for introducing the bill.

The Act calls on NOAA’s Office of National Marine Sanctuaries to create a Blue Whales and Blue Skies program to reduce air pollution, harmful underwater acoustic impacts, and the risk of fatal vessel whale strikes. The Act would establish a national recognition program for shipping companies that voluntarily slow speeds in the Santa Barbara Channel region.

The Act notes that the program will be modeled after the 2014 pilot Vessel Speed Reduction (VSR) Program administered by the Santa Barbara County Air Pollution Control District, Ventura County Air Pollution Control District, Channel Islands National Marine Sanctuary, Environmental Defense Center and National Marine Sanctuary Foundation. This 2014 initiative was inspired by VSR programs at the Ports of Long Beach and Los Angeles that have been producing air quality benefits for more than a decade.

Ships transiting off our coast contribute half of the smog-forming pollution in Santa Barbara County. Ship speed reduction offers an opportunity to cut this pollution in the near term. We have documented pollution reductions from successful VSR Programs in 2014 and 2016, and we expect to document more reductions from a 2017 Program currently underway.

Voluntary vessel speed reduction represents a solution to multiple environmental problems, and this bill takes an innovative, collaborative approach that will help us increase participation in VSR initiatives in our region, to achieve substantial additional air quality benefits.
As outlined in the Act, we would be pleased to assist with development of the contemplated recognition program.

Thank you for introducing this important legislation. Please feel free to contact our Air Pollution Control Officer, Aeron Arlin Genet, with any questions on this matter.

Sincerely,

James Mosby
Chair, Santa Barbara County Air Pollution Control District Board

cc: Representative Julia Brownley
    Representative Salud Carbajal
    Representative Rohit Khanna