MPWC in the Marine Sanctuary: Issue Background
MPWC in the Marine Sanctuary: Issue Background
MPWC in the Marine Sanctuary: Issue Background

Goal Since 1992:
To minimize disturbance of marine wildlife by motorized personal watercraft (MPWC), minimize user conflicts, and provide opportunities for MPWC use within the Sanctuary.
MPWC in the Marine Sanctuary: Issue Background

Potential Impacts:
- Persistent and repetitive wildlife disturbance within discrete nearshore areas
- Nest and rookery site abandonment
- Disturbance of stillwater areas (nursery habitat)
- User conflicts
MPWC in the Marine Sanctuary: Issue Background

1992

Zoning approach to allow some MPWC use, while protecting sanctuary habitat and wildlife from MPWC disturbance.
MPWC in the Marine Sanctuary: Issue Background
MPWC Definition in NOAA Regulations (1992)

- Motorized Vessel less than 15 feet as manufactured,
- Capable of exceeding a speed of 15 knots, and
- Maximum capacity of 2 riders
- Includes jet skis, wet bikes, surf jets, miniature speed boats, airboats, and hovercraft
MPWC in the Marine Sanctuary: Issue Background
MPWC in the Marine Sanctuary: Issue Background
MPWC in the Marine Sanctuary: Issue Background
MPWC in the Marine Sanctuary: Issue Background

New Developments After Designation (1992+)

- Increased use of 3+ seat MPWC in the MBNMS
- Use of MPWC at Mavericks surf competition (Pillar Pt)
- Increased MPWC use by SAR agencies
- Continuing evolution of MPWC designs and capabilities
MPWC in the Marine Sanctuary: Variety & Innovation

ATV/PWC Amphibian
Airboat
Jet Board
PWC – 4 seat
Remote Jet Sled
Jet Boat
PWC Catamaran
Hydrofoil Design
Airboat
Jet Body Board
Rigid Inflatable PWC
Joint Management Plan Review (JMPR) 2001-2008

- Monterey Bay
- Gulf of the Farallones
- Cordell Bank
Joint Management Plan Review (JMPR) 2001-2008

- Winter 2001/2002 – NOAA held 20 public scoping meetings
- 1000 meeting participants
- 12,000 comments submitted from the public
- Spring 2003 – SAC convened over 20 working groups to help develop action plans for the revised management plan
- Summer 2003 – SAC spent several days discussing WG action plans and developed its recommendations to NOAA
- Fall 2006 – Draft Management Plan (500 pages) released for public review and comment
- Winter 2006/2007 – NOAA held multiple public hearings and received thousands of comments on the draft plan
- Fall 2008 – Final Management Plan released to the public and included NOAA responses to comments on the draft plan
Wildlife Disturbance (MPWC): Working Group Participants - 20

MBNMS Staff Contact
Scott Kathey

MBNMS Staff
Lisa Emanuelson
Huff McGonigal
Sean Morton

Working Group Members
Stephan Andranian  American Watercraft Association
Doug Ardley       Surfer's Environmental Alliance
Susan Danielson  Save Our Shores
John Donaldson   Personal Watercraft Industry Association
Jeff Field       Tow-In Surfing and Surf Rescue
Dan Haifley      Monterey Bay National Marine Sanctuary Advisory Council - Recreation
Mike Kimsey      Surfrider Foundation - San Mateo Chapter
Don Kinnamon     California Boating Safety Officers Association
Mike Laffen      Monterey Bay National Marine Sanctuary Advisory Council - At-Large
Peter Mel        Tow-In Surfing Competition
John Moule       Surfrider Foundation - San Luis Obispo Chapter
Bob Puccinelli   California Department of Fish & Game
Russ Robinson    Recreational Boaters of California
Sean Smith       Bluewater Network
Tom Stuhlreyer   Monterey Bay National Marine Sanctuary Advisory Council - US Coast Guard
Dan Temko       Pillar Point Harbor
Wildlife Disturbance (MPWC): SAC Tasking to Working Group

**Strategy MPWC-1:** MPWC Definition

**Strategy MPWC-2:** Zone Criteria and Boundary Markings

**Strategy MPWC-3:** Exceptions to Zone Restrictions

**Strategy MPWC-4:** Educational Outreach to MPWC Community

**Strategy MPWC-5:** Enforcement
Strategy MPWC-1: MPWC Definition (No WG consensus)

- Select definition criteria that will adequately define the craft of concern while avoiding obsolescence due to design changes over time
Wildlife Disturbance (MPWC): Action Plan Strategies

Strategy MPWC-3: Exceptions to Zone Restrictions

- Authorization for training of public safety personnel (WG consensus)

- Protocols for public safety training (WG consensus)

- Special use permit program for tow-in surfing at Mavericks (No WG consensus)

- Special use permit program for use of MPWC at sponsored surfing competitions at Mavericks (No WG consensus)
SAC Recommendations – July 31, 2003 SAC Meeting

- Adopted all WG consensus items with minor changes

- Recommended that NOAA re-craft the definition of MPWC to withstand evolutionary design changes and maintain the original intent of the MPWC restrictions.

- Recommended permitting of MPWC for limited surf competitions at Mavericks.

- No SAC consensus or recommendation on a permitting program to allow tow-in activities at Mavericks.
Wildlife Disturbance (MPWC): SAC Tasking to Working Group

July 31, 2003 action by the SAC to reconvene the MPWC Working Group

- Determine whether private citizens should be permitted to operate MPWC off Mavericks for the purpose of providing a volunteer standby rescue patrol service for paddle surfers.

- Address potential prerequisites for a volunteer rescue team.

- Report findings to the SAC
Wildlife Disturbance (MPWC): MPWC Working Group Report

Working Group Findings reported to SAC on October 3, 2003:

- No consensus on whether to support or not support the proposal to allow private MPWC rescue patrol activities at Mavericks.
Wildlife Disturbance (MPWC): MPWC Working Group Report

Issues leading to non-consensus – existing volunteer services were:

- Inconsistent and unpredictable
- Not supervised by, or accountable to, any common authority
- Not regulated by any required training or operational standards
- Not subject to proficiency requirements for search & rescue
- Not coordinated with EMS
- Not using uniform communications equipment & procedures
- Not restricted solely to a lifeguard role (photography, tow-in)
- A potential false security blanket for novice surfers over-reaching
- Subject to personal liability for any physical injury to individuals
The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council (Council) met on Friday, October 3, 2003, at the Cavalier Oceanfront Resort, California.

[Excerpt from page 4]

**IX. MOTORIZED PERSONAL WATERCRAFT WORKING GROUP RECOMMENDATION**

Scott Kathey, Regulatory Coordinator, gave an overview of the task the Advisory Council gave the Motorized Personal Watercraft working group at the July/August meeting. The working group did not reach consensus as to whether or not NOAA should allow a volunteer rescue patrol at the Mavericks surf break in Half Moon Bay. Scott provided the Advisory Council with a handout addressing the points that the group did reach consensus on as necessary steps should NOAA consider authorizing a volunteer rescue patrol. Dan Haifley, Recreation primary, commented that the working group has reached the end; the working group cannot go any further. Peter Grenell, San Mateo Harbormaster and Harbor primary, agreed with Dan and suggested this issue should not be pursued further.

The Advisory Council reached consensus that there is no need to make any modification to the Motorized Personal Watercraft proposed action plan for private rescue groups to be allowed at Mavericks.
New MPWC Definition

Motorized Personal Watercraft means:

- any vessel, propelled by machinery, that is designed to be operated by standing, sitting, or kneeling on, astride, or behind the vessel, in contrast to the conventional manner, where the operator stands or sits inside the vessel;

- any vessel less than 20 feet in length overall as manufactured, and propelled by machinery that does not require a U.S. Coast Guard Maximum Capacities Marking for Load Capacity required by 33 CFR, Parts 181 and 183 (except submarines); or

- any other vessel that is less than 20 feet in length overall as manufactured, and is propelled by a water jet pump or drive.
MPWC in the Marine Sanctuary: 2008 NOAA Regulatory Revision

New Seasonal Zone at Mavericks

*Zone 5 is accessible December-February only during high surf warnings (not advisories) issued by the National Weather Service for San Mateo County. See www.weather.gov
MPWC in the Marine Sanctuary: Regulation

Current MPWC Zones
Zone Restriction Exceptions

- Authorization and protocols for training of public safety personnel
MPWC in the Marine Sanctuary: Trained Lifeguards v. Private Rescuers
MPWC in the Marine Sanctuary: Trained Lifeguards v. Private Rescuers
MPWC in the Marine Sanctuary:
Trained Lifeguards v. Private Rescuers
The sanctuary MPWC restrictions were created in 1992 and validated in 1995 by the US Circuit Court of Appeals for the District of Columbia.

NOAA has made provision for MPWC recreation, while meeting its mandate to protect sanctuary resources for both the present & future.

This area of regulation was thoroughly reviewed during the 7-year JMPR by the SAC, its MPWC working group, the public, and NOAA.

NOAA has always facilitated use of MPWC by trained professionals and affiliated volunteers for search & rescue.
MPWC in the Marine Sanctuary: Questions and Answers

Why does the marine sanctuary regulate skis and other motorized personal watercraft?

Why doesn't NOAA apply the same restrictions to paddle craft and motorboats that it applies to MPWC within the MBNMS?

If MPWC are Class A vessels, according to the Coast Guard, why have they been singled out and regulated differently than any other Class A vessel?

What is NOAA's official definition of a Motorized Personal Watercraft (MPWC)?

Where can I operate my MPWC within the marine sanctuary?

Is NOAA considering revising the restrictions on MPWC in the sanctuary?