



GREATER FARALLONES NATIONAL MARINE SANCTUARY  
ADVISORY COUNCIL MEETING  
Thursday, May 20, 2021  
9:00AM – 2:00PM  
Virtual via Google Meet



**MEETING HIGHLIGHTS**

Note: The following notes are an account of discussions at the Sanctuary Advisory Council meeting and do not necessarily reflect the opinion or position of the Greater Farallones National Marine Sanctuary (GFNMS) or the National Oceanic and Atmospheric Administration (NOAA).

Copies to: Bill Douros, Office of National Marine Sanctuaries, West Coast Regional Director

**Call to Order: Roll call**

Meeting called to order at: 9:00am

VOTING MEMBERS: 13 present (quorum met)

At-Large Marin: Dominique Richard (Chair)	Education: Bibit Traut
At-Large Mendocino/Sonoma: Cea Higgins	Maritime Commercial Activities: John Berge
At-Large SF/San Mateo: Joe Fitting	Maritime Recreation Activities: Abby Mohan (Vice Chair)
California Resources Agency: absent	National Parks Service: Craig Kenkel
Commercial Fishing: Barbara Emley (Secretary)	Research: John Largier
Conservation: Bruce Bowser	U.S. Coast Guard: LT Chris Bell
Conservation: Richard Charter	U.S. Fish & Wildlife Service: Gerry McChesney (for Chris Barr)

Alternates Present: 7 present

At-Large Marin: George Clyde
At-Large Mendocino/Sonoma: Nancy Trissel
Commercial Fishing: Sarah Bates
Conservation: Francesca Koe
Conservation: Kathi George
Maritime Commercial Activities: Julian Rose
Research: Jaime Jahncke

NON-VOTING MEMBERS: 4 present

Channel Islands NMS: absent
Cordell Bank NMS: Dan Howard
Monterey Bay NMS: Dawn Hayes
National Marine Fisheries Service: Jennifer Boyce
Youth Primary: Ezra Bergson-Michelson

GFNMS staff present: Maria Brown, Superintendent; Brian Johnson, Deputy Superintendent; Alayne Chappell (Affiliate) Advisory Council Coordinator; Olivia Johnson (Affiliate) Administrative Assistant; Jan Roletto, Research Coordinator; Karen Reyna, Resource Protection Coordinator; Max Delany, Permit Coordinator

NOAA staff present: Daniel Glick, Office of Law Enforcement

### **Welcome, Roll Call, Review Agenda**

[View Full Meeting Presentation](#)

### **SAC Business**

Alayne Chappell, SAC Coordinator

### **MOTION: Approve February meeting highlights**

Vote: 10 yes, 0 no, 2 abstain

Motion passes.

### **Welcome/swear in new members**

- Craig Kenkel is the new National Park Service (NPS) primary representative. Craig is the Superintendent at Point Reyes National Seashore; has worked on Golden Gate National Recreation Area and San Francisco maritime topics in the past. Ben Becker took a new position as Ecosystems Studies Coordinator at UC Berkeley; he will still be involved with Point Reyes and continue as the NPS alternate on the council.
- Mary Miller is the new education seat alternate. Mary has a background in marine science and science communication at UC Santa Cruz and currently works at the San Francisco Exploratorium.

### **Renewed SAC Charter**

The revised charter is approved and posted to the GFNMS website at [https://farallones.noaa.gov/manage/sac\\_handbook.html](https://farallones.noaa.gov/manage/sac_handbook.html).

### **Officer elections (Action Item)**

Thank you to Dominique, Abby, and Barbara for serving as council officers for the past two years and thank you everyone for submitting nominations. Abby Mohan is nominated for chair, Bibit Traut is nominated for vice chair, and Barbara Emley is nominated for secretary. Even though there is only one nomination for each position, we will still have the vote.

Voting members submitted their vote anonymously via Poll Everywhere.

Results:

Abby is unanimously elected chair, Bibit is unanimously elected vice chair, and Barbara is unanimously elected secretary. The newly elected officers will step into their roles after this meeting. Alayne will schedule a meeting with the officers and Maria to get started.

### **2021 SAC retreat topic: Request for input**

Member suggestions:

- Aquaculture
- Desalination
- Drought (impacts) (seconded)
- Wind energy (seconded)
- Pop-up trap fishing gear within the sanctuary
- Delta conveyance

*Discussion:*

*Abby Mohan: We could find a way to blend these themes: emerging impacts including wind energy, drought, desalination, etc. Wind energy has been a big topic lately.*

*Richard Charter: There is a push to have offshore wind farms send energy via cables from Humboldt to the Bay Area. There are issues with cables circumnavigating the canyons.*

*John Largier: I favor having one topic that we can go deeper on. The drought topic is here and now.*

*Cea Higgins: For both wind and aquaculture, there is a lot of current legislation (federal and state) pushing for expansion.*

*Maria: We will capture the ideas brought forward today and discuss with the executive committee to confirm the topic.*

### **Ship Strike Working Group timeline update**

Julian Rose, Working Group Co-Chair

We are still confirming membership of the working group as a balance of industry, conservation, and research. There will be more thorough updates when the meetings start taking place.

The working group objectives include assessing implementing year-round voluntary speed reduction throughout GFNMS and CBNMS; altering the trajectory of northern shipping lanes; extending shipping lanes farther west with year-round voluntary speed reduction; and extending western shipping lanes to the sanctuary boundary with year-round voluntary speed reduction and removing the northern shipping lanes.

*Barbara Emley: Is there research showing that if we extend the western shipping lanes, ships won't hit whales anymore, or are we making that assumption?*

*Maria Brown: The sanctuaries worked with Point Blue to model whale and ship patterns and looked at how to reduce risk of lethal ship strikes. Based on those models, the sanctuary program developed the three conceptual design options the working group is reviewing. We're looking for input from the SAC about any concerns, additional considerations, and recommendations the sanctuary should consider.*

*Sarah Bates: What does it mean to remove the northern shipping lane?*

*Maria: All shipping traffic would have to go through the western or southern lane.*

*Jaime Jahncke: We can share Cotton Rockwood's presentation and Point Blue papers with council members, showing the areas of use by blue and humpback whales.*

*Sarah: Does the sanctuary have any authority to mandate speed reductions? It's currently voluntary.*

*Maria: We have the authority to draft regulations. If we move forward with recommendations for mandatory changes, we would need to work with USCG and the International Maritime Organization. We've worked with both entities in the past to move the shipping lanes.*

## **BREAK**

### **Greater Farallones National Marine Sanctuary Superintendent's Report**

Maria Brown, GFNMS Superintendent

[View slides](#)

#### **GFNMS Operations**

Sanctuary staff will continue with maximum telework until further notice from the Department of Commerce. Sanctuary facilities and Visitor Center remain closed to the public.

#### **Conservation Science:**

Beach Watch is back to 98% survey coverage. The April ACCESS cruise was cancelled, and there are cruises planned for June and July, including sampling and acoustic surveys to detect whales.

There has been an increase in whale strandings, including 6-9 grey whale strandings and one fin whale stranding since April. Some are confirmed from vessel collisions, and some whales were emaciated. This is the fourth year in a row of the gray whale unusual mortality event.

#### **Education**

We are continuing online education programs. We have served 2,561 students since January this year. The Oceans After School program served 126 students, Fisherman in the Classroom served 483 students, and we delivered a rocky reef docent enrichment program at Fitzgerald Marine Reserve.

#### **Ocean Climate Program**

The program continues to be active. ONMS Director John Armor is holding an informational session about the Biden Administration's request for comments on the executive order on climate and marine protection (the "America the Beautiful" aka 30x30 Report) on June 2nd. SAC members should receive an email with more information. The Administration is interested in hearing from the public and communities on the "America the Beautiful" report.

The ONMS Climate Resilience Plan was released yesterday, which is modeled after the work that has been occurring at GFNMS. I would like to recognize all of the work the council has done and council recommendations that have been used to inform the national program's climate activities.

We are launching a new international partnership in June on marine protected areas, biodiversity, and climate change, and will have an update soon on our work quantifying carbon sequestration capacity in the sanctuary.

Relevant links:

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

“America the Beautiful” (aka 30x30) report: <https://www.noaa.gov/news/report-10-year-plan-for-conserving-and-restoring-america-beautiful>

ONMS Climate Resilience Plan: <https://sanctuaries.noaa.gov/management/climate/impact-profiles.html> and directly to the PDF here:

<https://nmssanctuaries.blob.core.windows.net/sanctuaries-prod/media/docs/2021-2023-onms-climate-resilience-plan.pdf>

*Barbara Emley: What is 30x30?*

*Maria: It's another term for an international recommendation from the United Nations to protect 30% of our global waters and lands by 2030. President Biden has released the report “America the Beautiful” that outlines the national approach to the 30x30 goal.*

*Abby Mohan: When would you like our comments on the 30x30 executive order? Is oceanic blue carbon being considered?*

*Maria: Oceanic blue carbon is not in 30x30. We will be discussing this in the blue carbon report that we are hoping to inform the NOAA blue carbon task force on. We have not received guidance yet on when the Administration or national program would like the input, so right now we'll plan on the August SAC meeting. But if we hear back that they would like comments sooner, we will email for individual comments or potentially schedule a special SAC meeting. Any comments from the council should be addressed to me and I would forward those recommendations to ONMS.*

### **Ecosystem Protection**

The 2020 vessel speed reduction (VSR) program results were at 64% cooperation, up from 58% in 2019. Our goal is the 90th percentile. VSR has two components: 1) the overall request to slow down, and 2) then a more refined request for container ships in which air districts provide financial incentives to slow down; in this category we were able to increase cooperation from 65% to 68% in GFNMS, and in Southern California from 52% to 59%.

You will hear about the Seabird Protection Network 10-year action plan to reduce impacts to seabirds and the shotgun wad/marine debris report later today.

The ONMS National Academy of Public Administration (NAPA) Report was released. This is a non-profit, nonpartisan independent organization that tackle the system's most critical and complex management challenges and provides recommendations for the next 10 years. ONMS is approaching its 50th anniversary and wanted an independent review of where we should be heading. They conducted 100 extensive interviews and delivered their report in April. The key theme is that the system must have a long-term goal to build itself into a more balanced, focused, and better-resourced actor that can take a leading role in NOAA and across the US government in protecting the marine environment. There are 15 recommendations, and I will be working with you to get feedback on them. There is not a date set for feedback, but we will keep you informed. Please look at the report that was sent to you in an email and consider if you would like to further explore those recommendations at an upcoming meeting or during the retreat.

### **American Challenger**

The 90ft vessel grounded on March 5<sup>th</sup>. As it was being towed along the coast near Marin, the tug lost propulsion because the tow line became entangled in the propeller. Both vessels were drifting, and tug hunter deployed anchor. The *American Challenger* had been separated and was adrift. It ended up on the rocks between Estero de San Antonio and Estero Americano. It's in a very difficult area to access in the sanctuary and it was determined that it was not safe for the USCG to board. There is a tidally dependent rocky beach inshore of the vessel that can be accessed during low tide. USCG asked the sanctuary to join the Unified Command. For the first couple weeks the weather was uncooperative, and the vessel was unstable, and operations were halted.

When weather got better, we tried to organize how to safely remove the oil from the vessel. Beach Watch was monitoring beaches for oiled wildlife; none has been observed to date. We have seen sheening from the vessel. The salvage company was able to board the vessel and remove oiled materials. There was no oil in the fuel tanks, so it was residual oil they were able to recant from the water. There is a breach in the hull from hitting the rocks. They were able to plug interior holes, but the breach on the outside of the vessel can't be accessed due to safety. We are seriously considering and discussing ways to remove the vessel, but one large challenge is funding. There is no federal state or local funding for vessel removal so we are looking at ways that we can pool funds from various sources. The Unified Command is still actively addressing pollution issues associated with the vessel.

*Abby Mohan: Was it empty of fuel before, or did it leak out?*

*Maria: There was not much fuel because it was not on its own power, it was being pulled by the tugboat, so its tanks were not full.*

*Abby: Last year we talked about how there is only one pool of funds for vessel clean up, is that renewed annually? Is there a process to make an exception request for something like this?*

*Maria: ONMS doesn't receive appropriations for vessel removal, it's not a line item in our budget. We have a damage assessment fund. When there is damage to the sanctuary, the responsible party has to pay for restoration and damage costs, and settlement funds go to the*

*damage assessment account. We have a very limited amount of funds nationally; funds have been drained from removing vessels across the sanctuary system. At a site level we also have limited funds because we've dealt with many vessels on our coastline. The American Challenger is going to cost millions to remove, and sanctuary funds are in the tens of thousands. The responsible party did not have insurance.*

*The vessel grounding is an active enforcement case by NOAA, USCG, and State of California. For NOAA, we will pursue any actions after the final disposition of the vessel so we can do a full assessment of damages. We will have a NOAA Office of Law Enforcement (OLE) update today too. We did not impound the tugboat. In past cases impounding a vessel cost the program money instead of providing funds to mitigate damages.*

*Julian Rose: The crew lightered off the fuel when they realized they had problems? That would mean there was a crew on the fishing boat, was it manned? Do you know the logistics of lightering off the fuel?*

*Maria: My understanding was that crew at some point were on the fishing vessel then went on the tug. I don't know the logistics, my understanding is it went onto the tug but I was not involved in the interview with the tug operator. OLE might be able to answer.*

*Daniel Glick (OLE Officer): The final disposition of all of this is still to come into focus. The owner of the tug is also the owner of the vessel being towed. He and the crew were all very cooperative and after that second day the USCG towed the tow vessel to the USCG pier where it stayed for four days. Questions were asked about what happened, what should have happened. Could it have been prevented? My understanding from the interview is that they removed several thousand gallons of fuel from the American Challenger into the tanks of the tow vessel before it left Seattle with just a little bit left in the American Challenger. The USCG Commander of the San Francisco Port is clearing them to go forward after consultation with NOAA OLE. The question of impact falls within the scope of civil liabilities and negligence overall and the environmental impacts will be taken into account. Between us and the USCG, they did file a tow plan in advance that was cleared by the USCG, so the issue they encountered at sea to try to regain control was deemed as reasonable. While there may be some liability issues, it didn't appear to be an issue of gross negligence.*

*John Berge: This vessel came out of Washington State, and they are one of the best states in the nation for protocols and legal requirement for derelict vessels. Whether this vessel was not following the law from Washington in terms of having proper insurance, beyond that it demonstrates that especially when you have vessels passing through, there's not much you can do besides hope you have a pool of money to deal with those fly-by operators who don't have proper insurance.*

*Cea Higgins: What options and agencies are involved in pooling resources and has Washington State been involved in this investigation?*

*Maria: NOAA, USGC, EPA, and the State of California have been working on the incident. In terms of being classified as recreational, using the state's definition of boating and waterways for SAVE funds, this vessel does not qualify.*

*Daniel: It was a decommissioned fishing vessel and purchased for scrapping. They received an official final order from the Port Authority of Washington State to remove it. As far as regulations in the state, there may be a conversation that needs to happen, but they did file a claim in advance. It was registered in Washington State.*

*This is an open and ongoing investigation, and I don't want anyone to misread or misjudge that there will not be any enforcement actions against the owner. My intention is just to give a play by play on what has happened to date.*

## **Permits**

*Cea Higgins (comment on the Surfrider event): It's often operated as a zero-waste event to model how coastal events can be run with no impacts.*

## **Sanctuary Enforcement Update**

Max Delaney, GFNMS

[View slides](#)

### Recent Enforcement Activity

Max Delaney

- Motor boat grounding near Grassy Point, Tomales Bay (south of Blakes Landing Dairy)  
Date of Incident: 4/12/21  
Status: The 19-foot fiberglass outboard motor boat landed in Tomales Bay State Park; no fuel released. State Parks is taking lead on removal.
- An unmanned 42-foot sailboat was just found floating offshore of the Farallon Islands.  
No more information at this time.

*Karen Reyna: If anyone has information about where the vessel in Tomales Bay came from, please contact Max or I. We are interested in knowing if it was anchored and where it originated from.*

*Richard James (member of the public): I saw it anchored off Grassy Point 1-2 days before it went adrift. I think the owners were fishing and or clamming at Grassy Point at the time. I do not know anything about the owner.*

## **Monterey Bay National Marine Sanctuary Superintendent's Report**

Dawn Hayes, MBNMS Acting Superintendent

[View slides](#)

## **Research**



- The sanctuary has a new research vessel. It will be docked at California State University Monterey Bay and the university will be partnering with us on student research. It is trailer-able so it will be an asset to both GFNMS and MBNMS.
- Three west coast sanctuary papers in a special edition of *Coastal Management Journal*:
  - <https://www.tandfonline.com/toc/ucmg20/current>
  - <https://www.tandfonline.com/doi/full/10.1080/08920753.2021.1846152>
  - <https://www.tandfonline.com/doi/full/10.1080/08920753.2021.1846154>
- Continuing with endangered black abalone recovery efforts (200 recovered), we are scoping locations for outplanting.

### **Resource Protection**

- NYK Delphinus container ship that had an uncontrolled engine fire, had 646,000 gallons of fuel on board. The USCG was at the site immediately with a helicopter and kept it offshore out of the sanctuary for most of the time. There were about 25 different entities helping with response.
- A media release came out about a case from September 2019 where volunteers from Friends of the Elephant Seal saw a carcass with strange marking and reported it. There were links to an individual who actually killed this animal. This man was sentenced to three months in federal prison, a year of supervised release, 120 hours of community service, and a \$1,000 fine.

### **Education**

- Conducting virtual education programs through exploration centers, served 650 students, bringing the total to about 1900 for the school year.

### **Cordell Bank National Marine Sanctuary Superintendent's Report**

Dan Howard, CBNMS Superintendent

I am retiring on June 30<sup>th</sup>. I can't thank council members enough for working with GFNMS and CBNMS and for all the recommendations over the years. It's invaluable and helps us accomplish so much.

### **PUBLIC COMMENT** (*1 public comment*)

Commenter: Richard James

Affiliation: coastodian.org

*Comment Summary (captured in meeting notes; written comment submission not provided for the record):*

*Regarding vessel speed reduction in the sanctuary, given the number of dead whales showing up on our shores and efforts being put forth by commercial Dungeness Crab fishery, I recommend the voluntary speed reduction program be changed to mandatory speed reduction.*

*Regarding the American Challenger, I would like to highlight Assembly Bill 1593, which is set up to address lack of insurance. We have ships classified as recreational that are commercial and we have ships that the USCG is not aware of. We need to do a better job of making this*

*information known. I have helped clean up 4-5 vessels as a volunteer. We don't have an agency plan for cleanup and there needs to be one ready to roll out, so resources are made available immediately.*

## **SAC Subcommittee and Youth Seat Reports and Recommendations**

### **Youth seat recommendations for youth engagement to the sanctuary**

Prepared by Ezra Bergson-Michelson and Owen Youngquist; presented by Ezra Bergson-Michelson

#### Recommendations:

1. Focus on creating new partnership programs or events with local community centers (such as city youth centers, YMCAs, JCCs, boy/girl scout troops, and/or boys and girls clubs).
2. Create a public-facing events calendar for scheduled events and open programs; promote the event calendar on social media at the end of programs and events.
3. Create a list of potential mentorship resources for students with a variety of interests to post on the website. A space for volunteers to contribute as mentors (for example, members of the advisory council, or scientists who can speak to their career experiences and/or “scientist spotlights”).
4. Release a newsletter via the sanctuary to local school districts updating students on opportunities.
5. Focus on determining potential long-term online opportunities in events and outreach, with a focus on not just the Bay Area but other geographic areas as well.
6. Put an emphasis on interactive activities and/or software (apps that help engage participants) for online events and youth programs.
7. Create a variety of one-time all-age events in the style of Sharktoberfest to promote youth and teen outreach, with a focus on not just the Bay Area but other geographic areas as well (sanctuary resources permitting).

#### *Discussion*

*Cea Higgins: Regarding mentorship resources for students, does that include members of the SAC to offer mentorship in certain subjects? I also want to ask about looking for opportunities outside the Bay Area and include more areas of Northern California. I would like to see outreach efforts in the sanctuary expansion areas.*

*Ezra: We discussed that it could be on a volunteer basis where they could allocate a certain number of hours of volunteer mentorships. Virtual outreach allows for more reach in other areas.*

*Cea: Would you be open to adding geographic elements to recommendation 5 and 7?*

*Ezra: Yes, we support further outreach. We didn't initially include them because of the lower number of resources that those areas might have, and we don't want to put too much extra work on the educators at the sanctuary, but it is a great goal that we would like to add.*

*Mary Miller: This has sparked so many ideas and lots of commendation for comprehensiveness of this. Oftentimes meeting scientists in different kinds of jobs and learning what it takes to do that work is really enlightening, especially to high school students interested in internships. It's relatively easy for a scientist to give a talk to students about their job. With a lot of the work happening in the federal government now, there are going to be a lot of conservation and climate-related opportunities happening, so maybe that's one thing this mentorship could provide.*

*Ezra: We discussed job fair type events where scientists could speak about their jobs.*

*Bibit Traut: We were also thinking about scientist spotlights that students can tune into to hear personal stories under that umbrella of recommendation #3.*

*I motion to forward these recommendations to the sanctuary,*

*Dominique: Seconds the motion.*

**MOTION: Forward the recommendations for youth engagement as edited to the sanctuary.**

Vote: 12 yes, 0 no, 0 abstain

Motion passes.

[View the final recommendations.](#)

**Diversity and Inclusion Subcommittee: Recommendations for SAC recruitment**

Abby Mohan, Subcommittee Chair

At this time, the subcommittee's recommendations are focused on diversity and inclusion in the SAC member recruitment process, to be shared with the sanctuary in time to be considered for the summer 2021 SAC recruitment period.

1. *SAC Application and website:* We recommend:
  - a. A motion that the SAC support the following recent changes to the SAC Application
    - i. Form and website:
      1. Changes to the SAC application form have been recently implemented through Office of National Marine Sanctuaries (ONMS) headquarters and will be reflected in the new application form to be released later in 2021. Two additional questions were added that stemmed from an effort across the sanctuary system to engage in topics related to diversity and inclusion on sanctuary advisory councils: 1) "Describe how you will engage diverse and underrepresented communities to ensure their voices are represented on the advisory council? Please be sure to include any past experience you have connecting with these communities." and

2. “How did you hear about this opportunity” (this one is aimed at helping staff track outreach efforts and assess the success of reaching different communities).
  3. The SAC website has also been updated with a diversity statement prepared through the ONMS.
- b. The council forward the following additional recommendations for future updates to the application and website:
- i. Add more photos across the GFNMS website pages that reflect more diversity.
  - ii. Sanctuary staff include lists of upcoming seats that are opening publicly on the website so that more people can anticipate if they might want to apply. The council is an advisory body to the sanctuary superintendent. The opinions and findings of this letter/publication do not necessarily reflect the position of the sanctuary and the National Oceanic and Atmospheric Administration.
2. *Outreach:* We recommend:
- a. SAC members help identify opportunities (groups and/or locations) for greater outreach, and track these outreach points for future use.
  - b. If SAC members are interested, they make themselves available to potential applicants for insights. This will aid in creating a more welcoming and inclusive environment for potential applicants.
  - c. SAC members take a more proactive approach in outreach for recruitment.
  - d. Sanctuary staff seek community events (like festivals or mariners markets) to table at and share SAC recruitment announcements. This can help break down barriers to application and offer a more authentic, inclusive connection for potential applicants.
  - e. The sanctuary engages diverse groups in general participation for sanctuary events and with the council. For example, encourage different communities that are not as well represented on the council to attend meetings as members of the public, so that they become more familiar with SAC and more likely to apply in the future.
3. *Accessibility:* We recommend:
- a. The sanctuary look into the feasibility of a “travel fund” (following the LiMPETS model) that would allow members who may not otherwise have easy access to meetings. Note the council charter indicates council members may receive travel expenses.
  - b. Explore opportunities to use hybrid in-person/virtual format options for meetings to ensure more inclusivity for all groups.

Next for the subcommittee: The subcommittee plans to meet after the upcoming recruitment period to consider lessons learned and what may or may not have worked well. We will also meet later in 2021 to focus on identifying barriers to participation on or with the council; and begin discussions around diversity and inclusion not just on the council but the sanctuary as well.

Discussion:

*Cea Higgins: There is something in the council charter for reimbursement for travel funds.*

*Abby: Maybe we can make the motion in recognition of the charter line that the sanctuary look into the feasibility of creating a travel fund and budget for council members.*

*I will say that when I applied to join the council, I was intimidated and not sure I'd be a good fit, but I was convinced to apply and from day one, I feel this has been inclusive and supportive council. I think there might be people who are not applying to the council because there hasn't been a proactive recruitment, or they are intimidated by filling out the application.*

*I motion that SAC adopt and forward these recommendations to Maria.*

*Is there anyone who has any objections to the potential to be contacted from potential applicants?*

*Cea: Not everyone has an email listed on the council website so to facilitate that outreach, which I am open to, we may want to have that updated with contact info for members who are open to being contacted.*

*Francesca: Seconds the motion to forward the recommendations to Maria.*

**MOTION: Forward the recommendations for council recruitment to the sanctuary.**

Vote: 12 yes, 0 no, 0 abstain

Motion passes.

[View the final recommendations.](#)

## **Recreation and Tourism Subcommittee: Timeline update**

Dominique Richard, Subcommittee Chair

The subcommittee has reviewed the GFNMS Marketing Plan that was put together in 2016, and reviewed the GFNMS website. We will provide a full report of our recommendations at the next meeting. The sanctuary is working on a plan for blue economy with the west coast region and we still need to see if there is information about that to review before bringing our final recommendations to the council.

## **BREAK**

### **Information Item: Reducing shotgun wad debris and reducing seabird disturbance**

Karen Reyna, GFNMS Resource Protection Coordinator

[View slides](#)

Presentation highlights:

- Human behaviors can harm the environment. There is a mountain of research showing that people do not change behavior based on information alone. Behavior change is about tapping into motivation, and thinking about: what are the barriers to changing behavior?

- We work to protect against threats to sanctuary resources from human activities. Our community-based programs promote resource protection and regulatory compliance.
- Behavior change tenants:
  - Social Marketing: Assess, design & plan, pretest & revise, implement, monitor and evaluate.
  - Environmental Communication
  - Environmental Education
  - Stakeholder Participation
- Seabird Protection Network campaign: Aimed at reducing human disturbance to seabird colonies through targeted outreach. We are creating an action plan for the central coast chapter, including for target species and key colonies, threats to recovery, strategies for formative research and evaluation, outreach, coordinated management, and monitoring. A critical element is stakeholder participation. Different audiences have their own reasons for why they are out with wildlife, so each group requires a different type of tailored outreach.
- Shotgun wads reduction campaign: We have a report to be released on May 25th. This project includes outreach to hunters to ask them to throw away shotgun wads or use biodegradable ones. Shotgun wads were one of the most common items found at all survey sites on sanctuary beaches. They likely originate from hunting reserves and shooting ranges from within the San Francisco Bay. By working with the hunting community and reserves we were able to do a behavior change campaign.
  - Barriers:
    - Picking up the wads is challenging.
    - 36% of hunters said that lack of access was a downside to picking up wads (not being able to find them; they float or fly away, or sink).
    - Purchasing biodegradable wads. We need to spread awareness that biodegradable options are out there and bolster the need for them.
    - Lack of commercially available biodegradable wads and California law that prohibits online ammunition purchasing creates barriers to this behavior change.
  - Developing policy might be the best approach, which is not a part of the behavior change campaign. When you get the report next Tuesday, please spread the word, the goal is to raise awareness at this point.
- These two projects have been used as a lens for behavior change because resource protection, education, and research can all take on these issues with this scope.

**Presentation: National Response Team (NRT) Abandoned Vessel Guidance**

Harry Allen, Environmental Protection Agency (EPA)

Presentation highlights:

- Pollutants and Contaminants on our shorelines: The story of abandoned and derelict vessels, legacy wrecks, and the need for more resilient coastal response network.
- We need to address how federal, state, tribal, and community partners can work together to address the issue.

- Abandoned and derelict vessels (ADVs) and legacy wreck response complexity: oil spills, mercury, radioactive material, e-waste, hydraulic oil. try to work to address all these things, it takes a village.
- Response authorities, laws and regulations, today's response network. NRT agencies include U.S. Army Corps of Engineers, USCG, US EPA, Federal Emergency Management Agency (FEMA), NOAA, and US Navy Supervisor of Salvage and Diving
- How do vessels become abandoned: severe weather events, financial hardships, high costs of maintenance.
- We have some resources now to trace vessel ownership; the EPA and USCG have successfully won a settlement cost for some ADVs.
- Abandoned barges have lots of debris associated with them.
- The EPA authorizes use of the Ocean Dumping Act to dispose of vessels off shores.
- Determination of response authorities considerations include: location, threat it poses, state and/or federal statutes apply, in many cases both state and federal agencies may have statutory authorities to address abandoned vessels.
- NRT is a part of national response system that uses Abandoned Vessel Authorities and Best Practices Guidelines.

**Recommendations for improving response capabilities to abandoned & grounded vessels**  
Cea Higgins, Community-at-Large Sonoma/Mendocino

Last meeting, we were asked to create a subcommittee, but the *American Challenger* incident shortened the timeline, and we were asked to bring forth recommendations sooner. These recommendations are based on the ADV Blue Ribbon Program for Western States. Their initial task was to establish scope and scale of the problem, then from there, they developed a model state-level program to address current gaps in addressing ADVs and recommendations that may be implemented by states with the goal of developing a comprehensive programs and funding sources. These recommendations are also based upon the National Response Team (NRT) “Abandoned Vessel Authorities and Best Practices Guidance” document, which provides guidance for the federal response community in developing solutions for the abatement of pollution from abandoned vessels including removal of abandoned vessels.

We’re looking at multiple levels of authority, but don’t have a comprehensive program when it comes to removal and salvage of the vessels. USACE is only involved if the vessel is blocking passage in navigable waters. There is no guidance to notify the sanctuary when there are grounded vessels. The California Division of Boating and Waterways is limited to commercial vessels. There is a difference between coastal environments and delta environments. There are no requirements to have insurance. There are gaps in California boater registration rules making it difficult to track responsible parties. Other Pacific states have different requirements. There is a lack of funding and comprehensive programs with clearly defined response protocols increases impacts.

There is time to provide input into a bill that is going through right now.

**Recommendations for Improving Response Capabilities To Abandoned, Derelict, & Grounded Vessels, brought to the council:**

1. With the Greater Farallones National Marine Sanctuary (Sanctuary) as a lead convene a multi-stakeholder working group comprised of Federal, state, & local authorities to facilitate a comprehensive approach to improving response capabilities to abandoned, derelict or grounded vessels in or near the Sanctuary and map a path forward to implement recommendations.
2. The Working Group should identify needs for additional funding for removal & salvage for agencies responsible for addressing abandoned, derelict, and grounded vessels, make recommendations as to sources for such funding, and identify the needs for statutory and regulatory changes to address these issues.
3. Sanctuary attend Regional Response Team (RRT) IX and Area Committee meetings and bring forward a request for Federal, State, and local agencies to develop a Regional Contingency Plan (RCP) or Area Contingency Plans (ACPs) to coordinate vessel removal with pollution abatement of grounded, abandoned, or derelict vessels within the Sanctuary.
4. Working with local stakeholders, coastal land managers, & first responders via webinar and video conference; the Sanctuary will solicit input, provide guidance, and develop strategies to coordinate & improve abandoned, derelict or grounded vessel response within the Sanctuary.
5. Working with the appropriate agencies and legislators, the Sanctuary will provide guidance on policies that could mandate insurance requirements for commercial and recreational vessels including wreck removal insurance and secondary liability coverage for older and larger vessels to ensure funding to cover response, deconstruction, removal and disposal of abandoned or grounded vessels.
6. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to expand the Oil Spill Liability Trust Fund (OSLTF) beyond pollution response to ensure that in instances where the USCG accesses the OSLTF for pollution response in National Marine Sanctuaries that those funds would also be available for the removal and disposal phase of abandoned, derelict or grounded vessels.
7. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to expand the California Surrendered And Abandoned Vessel Exchange (SAVE) grant program administered by the California State Parks Division of Boating and Waterways (DBW) to apply to both commercial & recreational vessels.
8. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to establish a California yearly vessel registration requirement for both commercial and recreational vessels including fees dedicated for ADV removal programs and adequate enforcement of these requirements.
9. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to establish a mechanism for law enforcement agencies to be funded or compensated for time and equipment needed to enforce vessel registration and aquatic laws and to issue civil penalties.

*Discussion:*

*George Clyde: This is impressive and comprehensive. I concur 100% with recommendation. There is no incentive for vessels to be insured; there is no deterrent. We need to look at how we can get the agencies to be more active in pursuing companies that own these vessels, whether*



*they have insurance or not. If we had seized that tug before it went to Mexico, it would have been a message to the entire shipping industry that they are putting their boats at risk of being seized if they aren't responsible.*

*I suggest adding: "Whereas, many abandoned, derelict or grounded vessel are not insured, or their insurance is inadequate to cover the costs of their removal and damages caused, and in most cases NOAA and other authorities do not pursue available legal remedies to seek compensation from those responsible" to the whereas statements in the resolution document.*

*The Working Group should also consider the problem of uninsured and underinsured vessels and recommend a solution, including the use of available legal remedies to seek compensation from those responsible (whether cost effective or not) to encourage boat owners and operators to obtain adequate insurance.*

*John Berge: Regarding the whereas section, vessels over 300 gross registered tons (GRT) have multiple requirements for insurance, salvage contracts, inspections etc. The 300 GRT threshold should be noted in that section.*

*Harry: You should be ready to establish a force of people for response. There are ways of doing that, including getting funding from the USCG oil spill fund. Be prepared to participate in incident specific cases.*

### **Recommendations for Improving Response Capabilities To Abandoned, Derelict, & Grounded Vessels, as edited by the council:**

1. With the Greater Farallones National Marine Sanctuary (Sanctuary) as a lead, convene a multi-stakeholder working group comprised of Federal, state, & local authorities to facilitate a comprehensive approach to improving response capabilities to abandoned, derelict or grounded vessels in or near the Sanctuary and map a path forward to implement recommendations.
2. The Working Group should identify needs for additional funding for removal & salvage for agencies responsible for addressing abandoned, derelict, and grounded vessels, make recommendations as to sources for such funding, and identify the needs for statutory and regulatory changes to address these issues.
3. The Working Group should also consider the problem of uninsured and underinsured vessels and recommend a solution, including the use of available legal remedies to seek compensation from those responsible (whether cost effective or not) to encourage boat owners and operators to obtain adequate insurance.
4. Sanctuary attend Regional Response Team (RRT) IX and Area Committee meetings and bring forward a request for Federal, State, and local agencies to develop a Regional Contingency Plan (RCP) or Area Contingency Plans (ACPs) to coordinate vessel removal with pollution abatement of grounded, abandoned, or derelict vessels within the Sanctuary; Be prepared to participate in incident specific cases, and ensure notification and preparedness for specific incidents.
5. Working with local stakeholders, coastal land managers, & first responders via webinar and video conference; the Sanctuary will solicit input, provide guidance, and develop

strategies to coordinate & improve abandoned, derelict or grounded vessel response within the Sanctuary.

6. Working with the appropriate agencies and legislators, the Sanctuary will provide guidance on policies that could mandate insurance requirements for commercial and recreational vessels including wreck removal insurance and secondary liability coverage for older and larger vessels to ensure funding to cover response, deconstruction, removal and disposal of abandoned or grounded vessels.
7. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to expand the Oil Spill Liability Trust Fund (OSLTF) beyond pollution response to ensure that in instances where the USCG accesses the OSLTF for pollution response in National Marine Sanctuaries that those funds would also be available for the removal and disposal phase of abandoned, derelict or grounded vessels.
8. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to expand the California Surrendered and Abandoned Vessel Exchange (SAVE) grant program administered by the California State Parks Division of Boating and Waterways (DBW) to apply to both commercial & recreational vessels.
9. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to establish a California yearly vessel registration requirement for both commercial and recreational vessels including fees dedicated for ADV removal programs and adequate enforcement of these requirements.
10. Working with the appropriate agencies and policymakers, the Sanctuary will provide guidance on policies to establish a mechanism for law enforcement agencies to be funded or compensated for time and equipment needed to enforce vessel registration and aquatic laws and to issue civil penalties.

*Cea: I motion to forward the recommendations as edited to the sanctuary.*

*Dominique: Seconds the motion.*

**MOTION: Forward the recommendations for improving response capabilities to abandoned & grounded vessels to the sanctuary as edited.**

Vote: 13 yes, 0 no, 0 abstain

Motion passes.

[View the final recommendations.](#)

**WRAP UP & ADJOURN: 2:00pm**

*Meeting highlights prepared by Alayne Chappell, Advisory Council Coordinator.*