

White Shark Stewardship Project

Stakeholder Meeting
Wednesday June 17, 2009



Workshop Goals

1. Inform wildlife viewing operators and researchers working in vicinity of the Farallon Islands of new regulations
2. Inform shark researchers and shark viewing operators of the permitting process
3. Inform attendees about Naturalist Training and other available resources; receive feedback on best time to offer training.

Evening's Agenda

- Welcome & Introductions (10 minutes)
- Sanctuary Presentation (30 minutes)
 - History leading to new regulations
 - Overview of sanctuary regulations
 - Permitting
 - Naturalist Training/resources for naturalists
- Questions & Answers (20 minutes)

History (short) of new regulations

NOAA released final management plans, regulations and a joint final environmental impact statement for Cordell Bank, Gulf of the Farallones and Monterey Bay national marine sanctuaries.

The new management plans offer a vision and course for protecting the rich marine ecosystems of three California national marine sanctuaries while continuing to allow compatible, sustainable human uses.

The plans are the result of **seven years** of study, planning and extensive public input.



History (short) of white shark regulations

- Working groups consisting of diverse members (with input from outside experts) made recommendations to Sanctuary Advisory Councils (SACs)
- Wildlife disturbance working group recommended to the GFNMS SAC that NOAA establish regulations protecting white sharks in sanctuary waters (SAC meetings were open to the public)



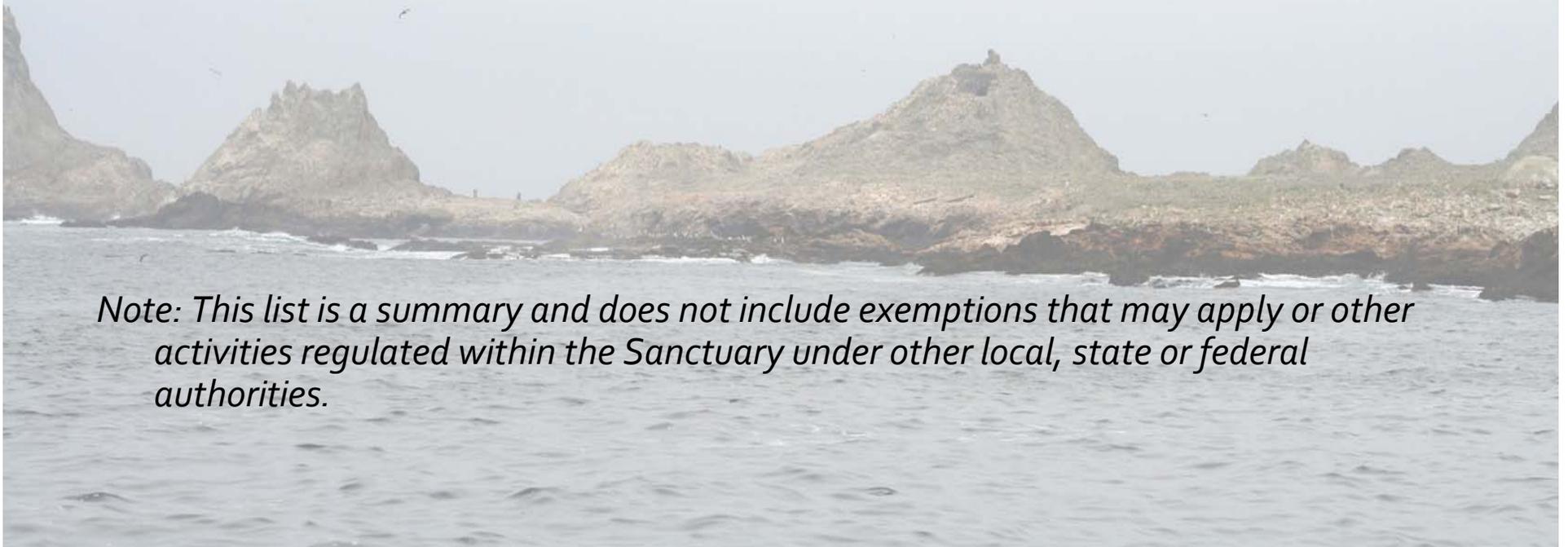
Overview of sanctuary regulations

(effective March 9, 2009)

Prohibitions (full text available <http://farallones.noaa.gov/manage/plan.html#regs>):

- Oil and gas exploration and development.
- Discharges/deposits from within or into the sanctuary.
- Seabed alteration or construction.
- Oil tankers, barges, and other cargo vessels are prohibited within two nautical miles of the Farallon Islands, Bolinas Lagoon, and Areas of Special Biological Significance.

Note: This list is a summary and does not include exemptions that may apply or other activities regulated within the Sanctuary under other local, state or federal authorities.



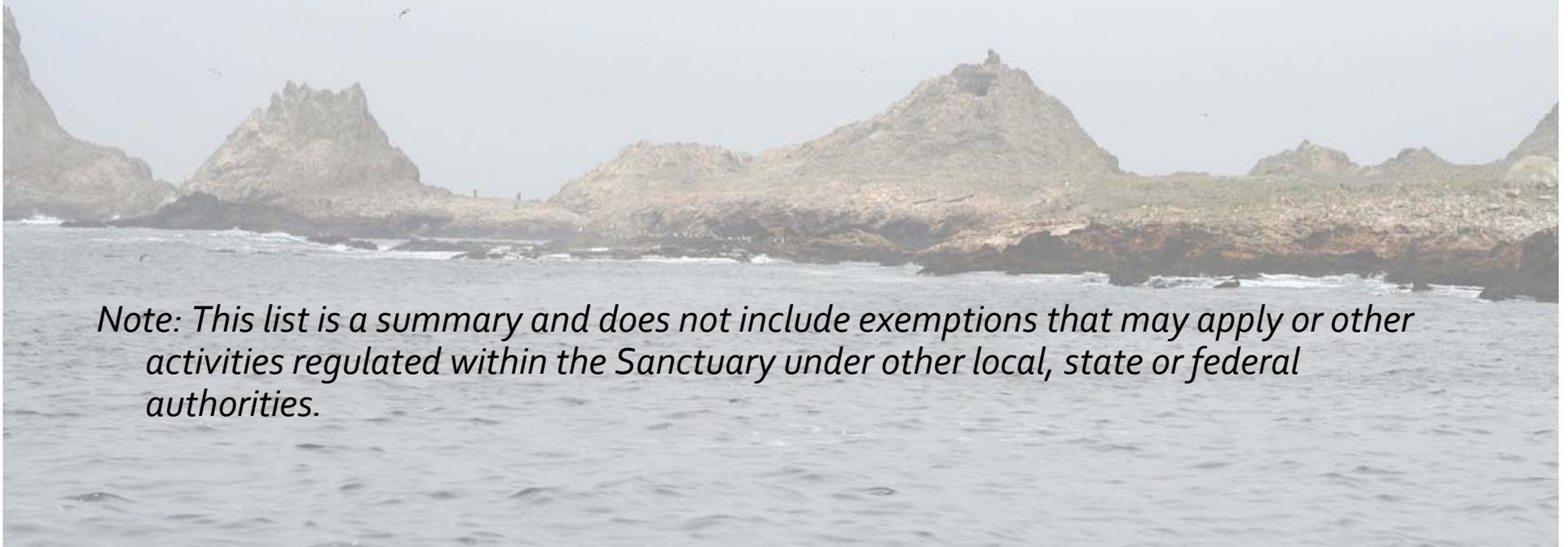
Overview of sanctuary regulations

(effective March 9, 2009)

Prohibitions (continued):

- Disturbing marine mammals and seabirds by flying motorized aircraft at less than 1000 ft within one nautical mile of biologically sensitive areas. (Map available)
- Damaging or removing historical or cultural resources.
- Operation of Motorized Personal Watercraft (MPWC).
- Introduction or release from within or into the Sanctuary of nonnative species.

Note: This list is a summary and does not include exemptions that may apply or other activities regulated within the Sanctuary under other local, state or federal authorities.



Overview of sanctuary regulations

(effective March 9, 2009)

Prohibitions (continued):

- Attracting white sharks anywhere in the Sanctuary or approaching within 50 meters of any white shark within 2 nmi around the Farallon Islands.
- Discharging or depositing, from outside the Sanctuary.
- Anchoring a vessel in a designated seagrass protection zone in Tomales Bay.
- Deserting a vessel aground, at anchor, or adrift in the Sanctuary; or leaving harmful matter aboard a grounded or deserted vessel in the Sanctuary.
- “Taking” or “possessing” any marine mammal, sea turtle or bird in or above the Sanctuary, except as authorized under the MMPA, ESA, and MBTA.

Note: This list is a summary and does not include exemptions that may apply or other activities regulated within the Sanctuary under other local, state or federal authorities.

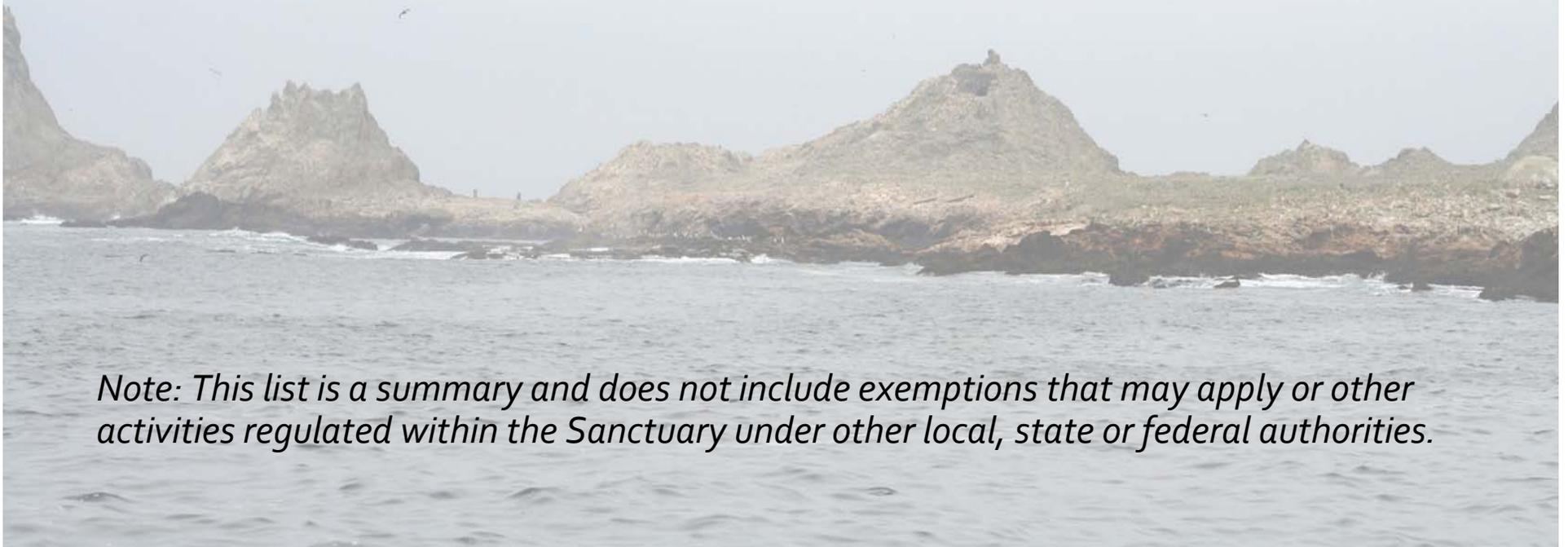
Overview of sanctuary regulations

Changes to regulations are intended to clarify and strengthen protections for marine habitats, sensitive species, water quality, and submerged cultural and historic resources.

Full text available online: <http://farallones.noaa.gov/manage/plan.html#regs>) and published in the Federal Register (Vol. 73, No. 225; Nov. 20, 2008).

NOAA Enforcement Hotline: 1-800-853-1964

Note: This list is a summary and does not include exemptions that may apply or other activities regulated within the Sanctuary under other local, state or federal authorities.



Permitting White Shark Related Activities

"The following activities are prohibited and thus are unlawful for any person to conduct or to cause to be conducted within the Sanctuary...(13) Attracting a white shark in the Sanctuary; or approaching within 50 meters of any white shark within the line approximating 2 nmi around the Farallon Islands... [note: this includes entire Farallon Island archipelago]

"Attract or attracting means the conduct of any activity that lures or may lure any animal in the Sanctuary by using food, bait, chum, dyes, decoys (e.g., surfboards or body boards used as decoys), acoustics or any other means, except the mere presence of human beings (e.g., swimmers, divers, boaters, kayakers, surfers)." 15 CFR Part 922.

| Examples of activities that may involve attracting or approaching white sharks and may require a permit | Permit category |
|--|------------------------|
| Educational Filming for Broadcast Media | Education |
| Educational Tourism | Education |
| Science | Research |

Applying for a permit

1. Permit application may be downloaded from: (<http://farallones.noaa.gov/ecosystemprotection/permitting.html>)
2. Submit completed application to: Irina.Kogan@noaa.gov
3. Sanctuary staff will confirm receipt of permit application and may ask follow-up questions (initial contact within 20 days)
4. Once staff have all needed information, sanctuary conducts NEPA review, completes other applicable legal requirements, and issues decision



When should I apply for a permit?

- We recommend submitting permit application by July 20, 2009



Permitting – expediting the process

1. Submit permit application via email irina.kogan@noaa.gov
2. Be prepared for follow-up questions and respond promptly - for example:
 - *educational permit application for tourism* : include description of target audience, describe key message(s), will effectiveness of educational messages be measured and if so - how, provide lesson plan, provide naturalists' credentials, etc.
 - *educational permit application for filming* : include description of target audience, describe key message(s), provide treatment, provide professional credentials, etc.
 - *research permit application for tagging project*: provide information on why additional tagging necessary, if using different tags - provide information on the benefits of each relative to impact to shark, publication record, describe proposed attractant, etc.
3. Obtain any other necessary permits from other agencies (especially relevant to researchers and scientific collection permits)

Permit Conditions

- Sanctuary permits contain general permit conditions that apply to every permit (*described in NMS permit guidelines:* <http://farallones.noaa.gov/ecosystemprotection/permitting.html>)
- Permits also contain special conditions customized for each project and/or project type (research, education conditions may differ)
- Example of special conditions relevant to all white shark-related permits:
 - Filming for broadcast media production or commercial use is not allowed (without a permit or amendment for each specific filming project)
 - Required logs and/or reports
 - Permit holder may be asked to accommodate a Sanctuary observer aboard the vessel
 - In addition to abiding by all other regulations - specific mention of State of CA speed limit, noise, special closure, and white shark 'take' regulations

Permit Special Conditions

Special conditions in Educational Permits for Tourism may include but are not limited to the following:

- Acceptable decoys must be made of soft, low profile material like carpet in the shape of a local marine mammal. Boats may not be underway with decoy deployed.
- Shark may not be fed at any time.
- The permittee must not interfere with any natural white shark feeding event and must not approach within 50 m (164 feet) of a feeding white shark.
- Naturalist Training required. At least one naturalist that completed the sanctuary naturalist training on board per trip.
- Must use educational messages in marketing.
- Detailed daily logs will be required (i.e., number of people reached; number and location of shark encounters).
- 2009 permit for Sept 15- Nov 30, 2009.

Note: NOAA will refine Special Conditions as necessary

Naturalist Resources

Naturalist Training Class

- Learn about the sanctuary from sanctuary staff
- Learn latest research results from scientists studying local white sharks
- Receive important messaging concepts to promote white shark protection
- Free for 2009
- Approximately 4 hours
- Recommended for all naturalists leading on-the-water wildlife viewing trips
- Required for educational permittees for tourism
- Participant feedback/ideas will help shape future trainings
- What is your preference for 2009 training (weekday or weekend; morning, afternoon, or evening)?

Questions?

GFNMS Website (announcements, resources, documents posted here)

<http://farallones.noaa.gov/>

GFNMS Permitting link

<http://farallones.noaa.gov/ecosystemprotection/permitting.html>

GFNMS Permit Coordinator

Irina.Kogan@noaa.gov; 650-712-8791

Naturalist Training Sign-up

Brad.Damitz@noaa.gov

General Questions

Sage.Tezak@noaa.gov; 415-561-6622 x306 or

Irina.Kogan@noaa.gov; 650-712-8791