

**GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY (GFNMS)
CORDELL BANK NATIONAL MARINE SANCTUARY (CBNMS)
JOINT ADVISORY COUNCIL MEETING**

Grange Hall
1370 Bodega Avenue
Bodega Bay, CA
9:00am-5:00pm
Thursday, May 1st, 2014

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 Gulf of the Farallones National Marine Sanctuary, Cordell Bank National Marine Sanctuary or the National Oceanic and Atmospheric Administration.

CALL TO ORDER, ROLL CALL, REVIEW AGENDA

Copies to:

Bill Douros, ONMS West Coast Regional Office
Meeting called to order at: 9:03am

Review Agenda
Roll Call

Sanctuary Superintendent Dan Howard announced that the following people had been reappointed to the advisory council for CBNMS: Bill Wolpert, Community-At-Large - Sonoma member; Sarah Hameed, Community-At-Large - Sonoma alternate; Lance Morgan, Conservation member; Todd Steiner, Conservation alternate; Kevin Krick, Maritime Activities member; and John Berge, Maritime Activities alternate.

Sanctuary Superintendent Maria Brown swore-in two new GFNMS Council Members: Caleb Rosen for the newly created Youth seat; and Bibit Traut, for the Education (Alternate) seat.

MOTION to approve GFNMS Meeting Highlights from February 19, 2014:

Motion: Barbara Emley
Second: George Clyde
Motion passed with none opposed.

MOTION to approve CBNMS Meeting Minutes from February 20, 2014 Meeting:

Motion: Bill Wolpert
Second: Lance Morgan
Motion passed with none opposed.

GFNMS Superintendent's Report

The Sanctuary is reviewing an education permit application from James Moskito of Great White

Adventures to attract white sharks for education purposes as part of tourism charters for the public.

The Sanctuary is reviewing a Manager's permit application from Grace Kato (State Lands Commission) to authorize the California State Lands Commission to implement the Tomales Bay Vessel Mooring Program, which was established as part of the Tomales Bay Vessel Management Plan developed by GFNMS in partnership with State Lands. The program established a process for permitting both existing and new moorings and sets limits on the total number of moorings in Tomales Bay. The Program also includes specific criteria for mooring locations, required specifications for mooring tackle, and requirements for the inspection and maintenance of moorings. The Sanctuary permit would be good for 10 years to coincide with the 10-year State Lands' lease period.

The Sanctuary is reviewing a research permit application from Matt Robart and John Largier (UC Davis) to install two (2) new moorings in Tomales Bay with instruments to record water circulation patterns and water quality data. One mooring would be near the head of the bay near Inverness and the other in the central/outer bay near Pelican Point. They're requesting a 2-year permit to start with the goal to make this a long-term monitoring project.

The Sanctuary is reviewing a research permit application from Edwin Grosholz (UC Davis) to install one (1) new mooring with instruments to collect data to better understand the effects of estuarine acidification (EA). Specifically the project would focus on studying drivers of EA and potential consequences of EA for native oyster restoration and commercial oyster production. They're requesting a 2-year permit to start with the goal to make this a long-term monitoring project.

The Sanctuary is reviewing a research permit application from Jason Sadowski (UC Davis). The goal of the project is to quantify the amount of oyster predation caused by whelk. Enclosures would be installed at three (3) sites in Tomales Bay using PVC pipe and mesh to study the effects of crab predation on whelks. Field surveys would also be conducted to determine how changes in temperature, salinity and dissolved oxygen affect the distribution of whelk predators throughout Tomales Bay. PVC markers would be placed at these five (5) additional sites to conduct the intertidal surveys. They're requesting a 3 1/2-year permit.

Boat Grounding and Car Accident

Panga

A 29-foot fiberglass panga boat ran aground at Año Nuevo State Park on April 14th, just north of Año Nuevo Island. The USCG and the Sheriff's Dept. responded and determined that no one was on board and no sign of any fuel threat was detected (since the boat was upside down on the rocks and no fuel tanks were found). Because these types of open boats are often used for smuggling operations from Mexico, Homeland Security also responded and determined they would seize the vessel as potential evidence. After receiving a few initial bids for the salvage work during the first week and half, Customs decided the boat was not high enough priority for them since no drugs were found at the scene. So GFNMS has procured NOAA funding to have Parker Diving remove the boat. Amazingly the boat is still in the same location, is fairly intact,

and has not shed much debris. We are coordinating with State Parks and Parker Diving to complete the salvage operation this Friday.

Car

On April 22nd, a car driving along Hwy 1 went off an embankment and rolled over in Bolinas Lagoon. Marin Sheriff's Dept. responded and removed the car within a couple hours of the incident; GFNMS was notified and Max Delaney was able to visit the scene shortly after the removal of the car. No damages to sanctuary resources were observed.

White Shark Draft Programmatic Environmental Assessment

The Programmatic Environmental Assessment (PEA) public comment period closed on April 23rd. We received 27 comments on the draft document covering a range of topics. GFNMS is currently reviewing all comments and determining if any changes are needed to the document prior to finalizing it. This purpose of this document is to evaluate possible white shark research and education permit activities expected to be proposed over the next five years. Projects will continue to be evaluated on a case-by-case basis, but the Final PEA will help guide future GFNMS permit decisions.

The majority of comments supported the continued permitting of both research and educational tours. Comments were received both opposed to and in favor of the use of satellite SPOT tags and both in favor of and opposed to allowing the use of scent as an attractant for educational tours. Many of the comments supporting the collection of satellite tagging data, requested that the methods of attachment should be refined to be less impactful to the animals and that catch and release methods should be carefully scrutinized.

Additionally, comments were received on the following topics:

- requesting more focus on natural predation studies at the Farallones;
- suggesting that the PEA include more than just 2 Alternatives and/or that there should be an analysis that would result in an Environmental Impact Statement; and
- encouraging NOAA to have greater involvement in efforts to protection White Sharks outside Sanctuary boundaries and specifically outside U.S. waters (where sharks spend most of their time).

All comments can be viewed on the NOAA web portal at regulations.gov; the link can be found through the White Shark Stewardship page on the GFNMS website.

Climate-Smart Adaptation Project for the North-central CA Coast

As presented at the November SAC meeting, GFNMS along with many other partners is organizing this effort to collaboratively develop adaptation actions and an implementation plan to manage for climate change impacts to north-central CA coast and ocean habitats, species and ecosystem services, termed focal resources.

Phase 1 of the project focuses on assessing vulnerabilities and the first of two workshops was held in February 2014 to solicit expert opinion to produce a final list of focal resources.

Workshop website with meeting materials is hosted through EcoAdapt and the summary report is available there and on the GFNMS website. The final 2-day Vulnerability Assessment Workshop will be held June 10-11 in SF and participants will assess a resource's overall vulnerability, including relative sensitivity, exposure and adaptive capacity.

GFNMS will use the input we receive from these habitat groups, combined with an extensive literature review, to develop vulnerability assessment reports for North-central California coast and ocean resources by the end of August 2014. Phase 2 of the project, which focuses on developing adaptation actions and an implementation plan, will begin this fall. We will be requesting a working group to convene this winter to develop plausible climate scenarios for the region (Point Blue lead) and develop adaptation recommendations based on the vulnerability assessments and climate scenarios.

Our Coast-Our Future

The SF Bay Our Coast–Our Future (OCOF) online planning tool for sea level rise and storms will be released this summer. This will provide seamless coverage for all 9 counties in the Bay Area except for a small portion of the San Mateo Coast outer coast (south of Half Moon Bay) and most of the Sonoma County outer coast. We are still looking for funds to expand the project up through the Sonoma County coast to cover the GFNMS expansion area. The current funding ends August 30, 2014.

Volunteer of the Year, Dominique Richard

Dominique Richard was selected as the GFNMS volunteer of the year for his service as the SAC Chair, his outreach with the community as the Marin/Sonoma Community-At-Large representative, and his engagement as the chair of the Tomales Bay Vessel Management Plan Working Group.

CBNMS Superintendent's Report

Fulmar Projects

It will be busy field season this year with carry-over activities from last year and partner projects. The ROV cruise that was cancelled due to the government shutdown last October has been rescheduled for this summer.

- CBNMS will be working with Rhode Island University and National Marine Fisheries Service on the second year of a technology grant to test Lagrangian drifters at Cordell Bank.
- CBNMS will be assisting our Maritime Heritage Program with a 6 day survey looking at ship wrecks in GFNMS outside the Golden Gate Bridge.
- CBNMS be working with the National Center for Coastal and Ocean Science (NCCOS) to conduct some site characterization ROV work in expansion area. NCCOS will be funding 6 days of ROV work. Surveys will be in CB and GFNMS areas proposed for expansion.
- GFNMS/CBNMS will be conducting three ACCESS cruises this spring, summer and fall.

International Fund for Animal Welfare donated \$30,000 to support ACCESS this year.

CBNMS will be celebrating its 25th Anniversary on May 10th at the Red Barn Classroom in Point Reyes. A traveling photo exhibit of Cordell Bank will be on display in the classroom and we'll have some refreshments, video, and our ROV on site.

San Francisco International Ocean Film Festival

The Student Film Competition that CBNMS sponsored for the second year had 42 submissions this year which is twice as many last year. We selected the top ten films and showed them during a special session at the film festival on Sunday morning. Six of the student film makers attended the session and answered questions from the audience after their films were shown. Awards were presented to the film makers who produced the top three films. Films were scored using a point system and evaluating 12 different criteria. Student education programs were also filled to capacity for the four days. Programming included an hour and a half of ocean films that were selected from the film festival. Several film makers attended the education sessions to answer questions after students viewed their films. Tours of the Aquarium of the Bay followed the film sessions.

Facilities

CBNMS will be moving to two new buildings at Point Reyes National Seashore, which are being remodeled. The first building being remodeled is getting closer to completion and demolition has started on second building. In addition, planning has started for small joint ocean interpretive center at the Point Reyes lighthouse; the effort is being undertaken in partnership with GFNMS and NPS.

Whales and Vessel Strikes

Work on the Whale Alert continues along with refinement of the application for recording whale observations on smart phones. The data will be provided to Point Blue where a web site will display a summary of observations and whale densities. These data will allow CBNMS and GFNMS to better understand movement of whales in between ACCESS surveys so that we can continue to reduce risk of ship strikes in the area.

Volunteer of the Year- George Clyde

George Clyde has been nominated as the CBNMS volunteer of the year for his great work on our advisory council and a concerted effort to inform council members about relevant sanctuary issues.

Summarized Draft Environmental Impact Statement for Proposed CBNMS and GFNMS Expansion and Discussion

Link to: [Draft Environmental Impact Statement](#)

Presentation available at: http://farallones.noaa.gov/manage/pdf/sac/14_05/expansion_ppt.pdf

Former Congresswoman Lynn Woolsey made a brief statement regarding the sanctuary expansion. She strongly supports the expansion, but opposes the addition of any new regulations

at this time. She urged a “straight” geographic expansion that extends current GFNMS/CBNMS regulations into the expanded area and a 2 year process to determine appropriate new regulations.

Motorized Personal Watercraft

There was a discussion on the creation of Motorized Personal Watercraft zones within the proposed expansion area. Maria said that NOAA had received feedback regarding MPWCs during scoping and it was being addressed through the proposed creation of these zones. Some SAC members expressed concern over the location of these proposed zones, which abut or overlap state marine protected areas. Some SAC members expressed concern that a controversial issue such as MPWC zones might impact the geographic expansion, for which there is broad public support.

There were some questions about how regulations might be added or changed in the future. Maria and Dan said that management plan review would be a logical time for that, but new or altered regulations could be implemented at any time.

Maria emphasized that this is a proposal from NOAA. We’re in the third phase of the process: public comment. The sanctuaries want to hear everyone’s advice and recommendations and will take them into consideration when reviewing the proposal to write the final EIS.

BREAK

Review Proposed Rule for GFNMS and CBNMS Expansion and Regulatory Revision

Link to: [Proposed Rule](#)

Wildlife Protection Zones

Several questions and comments were made by SAC members on the proposed wildlife protection zones. Anne Morkill pointed out that there is a major seabird area and Steller sea lion colony off of Bodega Head. Richard Kuehn mentioned that there are harbor seals at Sea Ranch. Dan and Maria explained the proposed zones were primarily breeding areas for high concentrations of seabirds, but encouraged comments if other wildlife zones had been missed in the proposal. GFNMS staff member Karen Reyna explained that the data referenced in the DEIS came from US Fish and Wildlife Service and other published papers as well as from consultations with NMFS.

Authorizations

The advisory councils for GFNMS and CBNMS had a long discussion on the proposed addition of authorization to the sanctuaries’ regulations.

Maria explained that the original legislative effort to expand the sanctuaries (a bill put forth by Congresswoman Woolsey) had failed to get Congressional approval from the House and Senate in the same session. NOAA is now seeking to expand the sanctuaries through an administrative process (a Dept. of Commerce and NOAA process that is independent of the legislative process),

and must go through the National Environmental Policy Act (NEPA) process during which time NOAA looks at potential environmental impacts of boundary expansion and regulations. The creation and review of regulations is a part the NEPA process.

SAC members asked how this authority was different from existing permitting authorities. Maria explained if, for example, an alternative energy project came into the sanctuary now and wanted to put something in for research, they would have to meet our national research criteria through which it is demonstrated that such activities benefit the sanctuary. In this event, yes the Superintendent could issue a permit. If they did the research, determined it was viable, didn't harm resources, and they decide they want to put in a permanent installation, then they would need to go through a public (NEPA) review. With authorizations, if an alternative energy company came in with a license from the Federal Energy Regulatory Commission (FERC) to install something, then they'd have to come to Sanctuaries and ask for an authorization of FERC's license. Sanctuaries can then issue an authorization with conditions for that FERC license.

A question about dredging came up. Maria explained that existing regulations prohibit dredging and you cannot dispose of dredge materials anywhere in the sanctuary. With authorizations, the sanctuaries could authorize dredging or disposal in the sanctuary and if they did, there would be special conditions on how those activities could occur. Beach nourishment has also been a discussion with relevance to this.

Maria explained that the ability for Superintendents to authorize otherwise prohibited activities comes from national policy perspective. ONMS is looking at adding this authority to all sanctuaries as they become larger and more area is protected; sanctuaries are increasingly bordering areas of development. As sanctuaries expand north, they encounter more communities, so this is a mechanism to allow for coastal activities that still meet sanctuary protection measures.

The Regional Director, Bill Douros emphasized that sanctuaries with authorization have declined many projects. The Superintendent can impose conditions or can say no and deny the activity. He also clarified the different types of permits, including authorizations, special use permits, and permits for education, research, salvage or management. He also clarified the types of authorizations CBNMS could encounter despite its offshore location.

A discussion of the issue of permitting fireworks displays led to the formation of a fireworks subcommittee of the GFNMS advisory council. Members are Jaime Jahncke, Richard Kuehn and Richard Charter.

Motion to form a Subcommittee on Fireworks in the Proposed Expansion Area

Motion: Richard Charter

Second: Bob Wilson

6 in favor, none opposed. Motion passes

Volunteers are Richard Charter, Dominique Richard, and Jaime Jahncke

The GFNMS AC gave the subcommittee the authority to submit recommendations directly to the Superintendent.

The USCG supports authorizations because they enable the agency to carry out activities that would otherwise be very difficult and time-consuming to get cleared through the currently slow rule-making process.

Dominique asked if there would be opportunities for the SAC to advise Maria on permitting or authorization decisions. Maria said that it is national policy not to involve the SAC in permit decisions because they could represent a conflict-of-interest.

Public Comment to GFNMS/CBNMS SACs

Tom Baty:

The name “sanctuary” is a name only and they do not do enough to protect natural resources. The DEIS provides less benefits for water quality, biology, and other benefits than the current sanctuary policies. Authorizations are diminishing the sanctuary. Tom would also like to oppose the Proposed Mariculture Rule, as it is deeply flawed and relies too heavily on shared state authority. The terms introduced, non-native, and invasive are too confusing.

Tom Yarish: The MPWC zones seem arbitrary and ineffective.

Tom Roth (presenting State Senator Noreen Evan’s remarks): The Senator supports the expansion, but opposes authorization. The language in the GFNMS documents is unclear regarding oil and gas development. It should be noted that the legislation by Woolsey and Boxer opposed such development. Also, the EIS noted that PWCs interrupt biological activity. The Senator believes that sanctuary waters deserve the highest level of protection and MPWCs should be banned from the areas that overlap with the state marine protected areas.

LUNCH

Review Draft Management Plans for GFNMS/CBNMS

Access the Draft GFNMS Management Plan at:

http://farallones.noaa.gov/manage/pdf/expansion/GFNMS_DMP_032814.pdf

Access the Draft CBNMS Management Plan at:

http://farallones.noaa.gov/manage/pdf/expansion/CBNMS_DMP_April_2014fv.pdf

The discussion of the draft management plans centered around funding and resources to manage the sanctuaries. Maria and Dan explained that a lot of funding is opportunistic and it is difficult to anticipate which program will receive funding from year to year. Sanctuary funds depend on what Congress appropriates to NOAA. ONMS can prioritize programs but they don’t always

resonate with NOAA's priorities, which determine the budget allocations across the agency.

BREAK

Potential Action Item: Discussion of DEIS, Proposed Rule, and Draft Revised Management Plans

CBNMS AC member Bill Wolpert **made a motion** to postpone any CB SAC decision on the proposed expansion documents.

Second: Kevin Krick

Motion passes, none opposed.

GFNMS Resolution on Authorizations:

Motion: Barbara Emley

Second: Richard Charter

In favor 6:

Opposed: 1

Abstain: 1

Motion: Passed

Access the resolution here:

http://farallones.noaa.gov/manage/pdf/sac/14_05/Authorization_reso.pdf

GFNMS Resolution in General Support of Geographic Expansion

Motion: Bob Wilson

Seconded: Richard Charter

In Favor: 7

Opposed: 0

Abstain: 0

Motion: Passed

Access the resolution here: http://farallones.noaa.gov/manage/pdf/sac/14_05/support_reso.pdf

GFNMS Resolution Pertaining to Proposed MPWC Zones

Motion: Bob Wilson

Second: Richard Charter

Favor: 7

Opposed: 0

Abstained: 0

Motion: Passed

Access the resolution here: http://farallones.noaa.gov/manage/pdf/sac/14_05/mpwc_reso.pdf

CBNMS SAC Member Reports

Postponed

CBNMS SAC Adjourned

CBNMS AC Attendance

CBNMS Advisory Council		
NAME	SEAT	P/A
George Clyde [Chair]	Community-At-Large - Marin	P
Michael Cummings	Community-At-Large - Marin Alternate	P
Bill Wolpert	Community-At-Large - Sonoma	P
Sarah Hameed	Community-At-Large Sonoma Alternate	P
Lance Morgan	Conservation	P
Todd Steiner	Conservation Alternate	A
Leslie Adler-Ivanbrook	Education	P
Rachel Bergren	Education Alternate	A
Richard Ogg	Fishing	P
Noah Wagner	Fishing Alternate	P
Kevin Krick [Vice-Chair]	Maritime Activities	P
John Berge	Maritime Activities Alternate	P
Jaime Jahncke	Research	P
Pete Adams	Research Alternate	P
Chris Mobley	CINMS [non-voting]	A
Maria Brown	GFNMS [non-voting]	P
Brian Johnson	GFNMS Alternate [non-voting]	A
Paul Michel	MBNMS [non-voting]	A
LCDR Joe Giammanco	USCG [non-voting]	P
LT Jeannie Crump	USCG Alternate [non-voting]	A

GFNMS AC Attendance

GFNMS Advisory Council		
NAME	SEAT	P/A
Dominique Richard [Council Chair]	Public-At-Large Marin/Sonoma	P
Richard Kuehn	Public-At-Large Marin/Sonoma- Alt	P
Kellyx Nelson	Public At-Large SF/San Mateo	A
Vacant	Public At-Large SF/San Mateo Alternate	A
Richard Charter [Council Vice-Chair]	Conservation	P
Bruce Bowser	Conservation Alternate	P
Bob Wilson	Conservation	P
Jackie Dragon	Conservation Alternate	P
Elizabeth Babcock	Education	P
Bibit Traut	Education Alternate	P
Barbara Emley [Council Secretary]	Maritime Activities/ Commercial	P
Peter Grenell	Maritime Activities/Commercial Alternate	A
Mick Menigoz	Maritime Activities/Recreational	P
George Clyde	Maritime Activities/Recreational	P

	Alternate	
John Largier	Research	A
Jaime Jahncke	Research Alternate	P
Cicely Muldoon	National Park Service	A
Frank Dean	National Park Service Alternate	A
Caleb Rosen	Youth	P
August Howell	Youth Alternate	A
Catherine Kuhlman	CA Dept. of Natural Resources	A
Clare Waldmann	CA Dept. of Natural Resources Alternate	A
Anne Morkill	USFWS	P
Gerry McChesney	USFWS Alternate	A
LCDR Joe Giammanco	USCG	P
LT Jeannie Crump	USCG Alternate	A
Pat Rutten	NMFS [non-voting]	A
Natalie-Cosentino Manning	NMFS Alternate [non-voting]	A
Maria Brown	GFNMS [non-voting]	P
Chris Mobley	CINMS [non-voting]	A
Mike Murray	CINMS Alternate [non-voting]	A
Dan Howard	CBNMS [non-voting]	P
Michael Carver	CBNMS Alternate [non-voting]	A
Paul Michel	MBNMS [non-voting]	A
Karen Grimmer	MBNMS Alternate [non-voting]	A