

GREATER FARALLONES NATIONAL MARINE SANCTUARY ADVISORY COUNCIL MEETING Monday, August 24, 2020 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

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At-Large Marin: Dominique Richard (Chair)	Education: absent
At-Large Mendocino/Sonoma: Nancy Trissel	Maritime Commercial Activities: John Berge
(for Cea Higgins)	
At-Large SF/San Mateo: Joe Fitting	Maritime Recreation Activities: absent
California Resources Agency: Michael Esgro	National Parks Service: absent
(for Mark Gold)	
Commercial Fishing: Barbara Emley	Research: John Largier
(Secretary)	
Conservation: Bruce Bowser	U.S. Coast Guard: LT Jacob Joseph
Conservation: Richard Charter	U.S. Fish & Wildlife Service: Gerry
	McChesney (for Chris Barr)

VOTING MEMBERS: 11 present (quorum met)

ALTERNATES PRESENT: 4 present

At-Large Marin: George Clyde
At-Large SF/San Mateo: Kris Lannin Liang
Conservation: Kathi George
Maritime Commercial Activities: Julian Rose
Research: Jaime Jahncke

NON-VOTING MEMBERS: 5 present

Channel Islands NMS: absent	
Cordell Bank NMS: Michael Carver (for Dan Howard)	
Monterey Bay NMS: Paul Michel	
National Marine Fisheries Service: Jennifer Boyce	
Youth Primary: Ezra Bergson-Michelson	
Youth Alternate: Owen Youngquist	

GFNMS staff present: Maria Brown, Superintendent; Brian Johnson, Deputy Superintendent; Alayne Chappell (Affiliate), Advisory Council Coordinator; Olivia Johnson (Affiliate), Administrative Assistant; Max Delany, Permit Coordinator

Other NOAA staff present: Andrew Torres, Office of Law Enforcement; Daniel Glick, Office of Law Enforcement; Claire Nasr, Channel Islands NMS

Others present: Deb Self, Greater Farallones Association

Welcome, Roll Call, Review Agenda

Alayne Chappell, SAC Coordinator (SAC Coordinator facilitating in place of the chair due to technical limitations of the virtual platform). View Full Meeting Presentation

SAC Business

Alayne Chappell, SAC Coordinator

MOTION: Approve May and June meeting highlights

Vote: 9 yes, 0 no, 0 abstain Motion passes.

Member Recruitment Update

We will need to establish the application review panel for the current recruitment period (CAL Sonoma/Mendocino primary and alternate and Education alternate seats). We have three members on the review panel right now, but we can have more. Alayne requests members reach out if they would like to join the panel.

Subcommittees

We have three active subcommittees currently. Going forward, we will plan to keep it to no more than two as staff resources to support more than two at a time are limited.

SAC Retreat Update

This year's retreat will be virtual and held between two days: Thursday October 1 from 9am-1pm will include presentations on SAC and sanctuary climate-related activities and National Network for Ocean and Climate Change Interpretation (NNOCCI) training; and Friday October 2 from 1-5pm will include sanctuary accomplishments and goals, SAC accomplishments and Fiscal Year 2021 workplan, and a virtual SAC social. More details will be emailed soon.

New ONMS Standard Operating Procedure (SOP) for Recording SAC Meetings

The new policy states that sanctuary staff cannot record meetings until we have the waiver signed from everyone attending. This may change but for now we will not be recording meetings. We will do our best to take notes, but meeting highlights may not be as thorough going forward.

New ONMS SAC Handbook

There is a new ONMS SAC Handbook coming out. Alayne will share the new version with the SAC.

Greater Farallones National Marine Sanctuary Superintendent's Report

Maria Brown, GFNMS Superintendent View presentation.

GFNMS Operations

Sanctuary staff will continue working from home under mandatory Covid-19 telework City of San Francisco order. We will be following the Covid-19 guidelines of the counties and cities that we live in. We are still in what's considered Phase 0 of re-entry to sanctuary offices but preparing for Phase 1. The sanctuary facilities and Visitor Center remain closed to the public, but we will start conducting virtual education programs from the Visitor Center and Pier House classroom.

2019 Emissions Inventory

View PDF.

The request for an annual sanctuary office greenhouse gas emissions inventory came out of recommendations from the SAC to track and reduce our emissions. We had a considerable reduction in emissions until 2014 when it leveled off. It didn't look like we were going to meet our 2020 target but that might change with the pandemic and working from home because a majority of our emissions come from transportation (68% auto transportation from commuting).

Seabird Protection Network

The Seabird Protection Network held two successful virtual events: the "Fly High with SPN" event sponsored by the Federal Aviation Administration (FAA) and San Carlos Flight Center was attended by 220 pilots; the "Ten Secret Sights Only Pilots Can See" event was co-hosted by SPN and the FAA, and attended by over 400 people. These virtual outreach events allow us to reach a lot more pilots than we have in the past.

Bolinas Lagoon Invasive Green Crab Removal

While we are not utilizing volunteers this year due to Covid-19, staff are still conducting green crab removal activities in Seadrift Lagoon. However, staff activities are currently on hiatus due to California fires. We have two of four weeks completed.

Kelp Unmanned Aerial Vehicle (UAV) Surveys

Surveys are scheduled for the fall. We will look at whether and/or to what extent kelp has come back. We've heard anecdotal reports that more bull kelp is visible from the shore, so we're looking forward to quantifying that to see if that's the case.

Blue Whales

There have been an amazing number of blue whales in the sanctuary near the Farallon Islands this summer. In just a 1-hour period there were 47 blue whales sighted.

Climate Program

The 2019 Climate Indicators Report from our partners at Point Blue Conservation Science and the 2020 GFNMS Climate Profile are available. We will share those via email with the SAC. We have a new Climate Program intern from the Middlebury Institute of International Studies at Monterey doing a blue carbon analysis for the sanctuary. The SAC will hear from her at the upcoming retreat.

Permits

The slides with permit information were distributed before the meeting.

No questions or comments on permits from SAC members.

Beach Watch

Beach Watch surveys resumed with around 65% of regular surveys being conducted. That is currently on hold due to the California fires.

Nautilus Cruise

One cruise is scheduled for October to visit Pioneer Canyon, octopus gardens, and a whale fall. The public can view via NautilusLive.org. We will send out more information to the SAC.

ACCESS

The July ACCESS cruise was cancelled due to Covid-19. We are hoping for a modified September cruise. It is peak upwelling season in the sanctuary, but we are seeing reduced sampling efforts this year across the state and limited monitoring of oceanographic conditions because of Covid-19 limitations.

K-12 Education

We successfully transitioned K-12 education programs online. Three summer camps were completed virtually. Watershed Advocacy Via Environmental Science (WAVES) Camp co-operated with Seven Tepees Youth Program is a comprehensive program for underserved inner-city youth of San Francisco to help make lifelong positive choices and create opportunities for success. WAVES includes 95% Latino or African American students with a mentorship program where they go through the program for seven years and the older students end up mentoring the younger students. Marine Explorers Camp included 466 students and 31 classes over 6 weeks; and Mission YMCA camp was carried out online.

Bruce Bowser is pleased that the summer camps and K-12 education programs are still going strong.

Virtual Get Into Your Sanctuary (GIYS) Events

The GIYS online event included a virtual trip to the Farallon Islands and was attended by 321 people.

Upcoming Virtual Sharktoberfest: September 26

Details will be emailed to the SAC.

PUBLIC COMMENT – No public comment

BREAK

Cordell Bank National Marine Sanctuary Superintendent's Report Michael Carver, CBNMS Deputy Superintendent <u>View presentation</u>. CBNMS is updating its Condition Report and beginning work for its Management Plan Review in 2022. There will be virtual workshops in the fall to understand the status and trends of systems in the sanctuary. Another ongoing project is the species inventory, adding 241 new species from 11 sources. There are no research boats going out right now due to Covid-19. Bodega Marine Lab went out and swapped out hypoxia moorings, which was very helpful for CBNMS to continue monitoring. The planned ROV cruise is postponed. There is a new report from the 2017 *Nautilus* cruise. We are reviewing two years of sanctuary soundscape recordings in CBNMS and GFNMS, looking at acoustic impacts of vessel speed reduction efforts and seasonal fluctuations driven by whales. The biggest thing we've done since the last SAC meeting was applying for a grant to support efforts to incentivize the VSR program.

Jan Roletto (in the chat box): The CBNMS FY21 ROV cruise is a joint cruise with GFNMS.

Deb Self (in the chat box): Michael, you are welcome to collaborate with the GFNMS/Greater Farallones Association online classes. Let's talk if we can help you in any way

Jacob Joseph: When whales are present and captured on camera, we (the USCG) were able to notify the vessel traffic folks that they were present. Is there something in place like that for the acoustic buoy?

Michael: We passively collect the data every 1-2 years, but they have something like that on the east coast that we could explore options for. Thank you to the USCG who are so helpful in these efforts.

<u>Presentation: Monterey Bay National Marine Sanctuary (MBNMS) Draft Management</u> <u>Plan Proposed Rule Draft Environmental Assessment</u>

Paul Michel, MBNMS Superintendent View presentation.

Paul shared the news that he will be leaving the MBNMS Superintendent position and starting a new role as Senior Policy Advisor at the ONMS West Coast Region office in September.

Presentation purpose:

- 1. Provide an overview of the management plan review process and draft documents;
- 2. Hear comments from the SAC;
- 3. Provide information about how to find the full documents and provide further comment.

MBNMS released the draft document in July. The management plan review process includes, release of a condition report, public scoping meetings, issue identification and meetings, development of action plans, a draft management plan with supporting documentation, public input on the draft plan, and a final management plan. Paul is hoping to get the final management plan completed by the end of 2020, but it could go into 2021.

On July 23, 2020, MBNMS had a public comment meeting. On August 21, 2020, the MBNMS SAC meeting was open for public comment on the draft management plan as well.

Paul provided an overview of the management plan format: There are 14 action plans in two categories: issue-based and program-based action plans. Issue-based action plans include wildlife disturbance, climate change, coastal erosion and sediment management, Davidson Seamount, emerging issues, introduced species, marine debris, and water quality. Program-based action plans include education, outreach and communications, operations and administration, marine spatial planning, maritime heritage, research and monitoring, and resource protection.

Paul detailed the proposed regulation changes for the management plan: Adding a definition for the phrase "beneficial use of dredged material"; modifying the prerequisite conditions for motorized personal watercraft access to the riding zone at Mavericks surf break; changing the size and shape of four motorized personal watercraft (MPWC) zones to improve access; and making a minor technical correction to document the list of exempted Department of Defense activities at the Davidson Seamount Management Zone.

The Draft Environmental Assessment (EA) includes three alternatives detailed in the presentation: Alternative A: no change, continue with current management plan; Alternative B: new management plan, no new regulations; and Alternative C (preferred): new management plan and new regulations.

The EA includes the following Summary of Conclusions:

- The continued operation and management of MBNMS, the revision of the sanctuary management plan and adoption of revised regulations would have an overall beneficial effect on resources within the sanctuary.
- Because the management plan is a broad, guidance document, many of the anticipated beneficial effects would be indirect, resulting from MBNMS efforts to:

1. improve public understanding of ocean stewardship issues;

2. further scientific understanding of sanctuary ecosystems and cultural and historical resources;

- 3. implement resource protection and maritime heritage programs; and
- 4. implement regulations to limit stressors on marine resources.

Paul detailed next steps in the process and ways to comment:

- Complete public comment period
- Compile, categorize, and analyze comments
- Draft responses to comments and submit for approval
- Revise documents (MPs, Regs. and DEA) where appropriate
- Release Final MP/EA (Fall 2020)
- Publish Record of Decision (final Regs.) (Spring 2021)
- Ways to comment:
 - Comment today
 - Comment online directly to regulations.gov use docket # NOAA–NOS–2020-0094
 - Email comments to: <u>mbnmsmanagementplan@noaa.gov</u>
 - More info at: <u>https://montereybay.noaa.gov</u>

Paul detailed more about the issue-based action plans:

- Mitigate wildlife disturbances utilizing law enforcement; limit wildlife entanglement.
- A focus on climate change impacts and coastal resilience, climate adaptations and ocean acidification, and conducting annual inventories.
- Reduce human-caused coastal erosion exacerbated by the sand mine that is being closed down and working with coastal sediment management plans to explore a take on site specific measures to restore and maintain coastal beaches. A big erosion issue for MBNMS is at the Elkhorn Slough, so we are working to reduce that and want to allow for beneficial reuse of sediment.
- For Davidson Seamount, we want to increase understanding of the seamount through characterization, ecological process studies, and development of education materials.
- Track and respond to emerging issues.
- Control and/or eradication introduced species including prevent introduction and early intervention.
- Assess and reduce the amount of marine debris entering the sanctuary, removing marine debris, and responding to entanglements.
- Large water quality program at MBNMS including raising awareness of water quality issues and improving water quality with partners.

For program-based action plans:

- Education outreach and communications program, operations and administration, marine spatial planning program
- Improve conservation science and resource protection on select sites
- Implement ecologically significant areas in the sanctuary, determining impacts from jet skis and the zones
- Coordinate internationally on MPAs
- Track and respond to offshore wind and wave energy proposals
- Assess use of artificial reefs
- Protect archaeological and historically significant resources in the sanctuary through the maritime heritage program
- Maintain and improve the sanctuaries natural processes, enhancing permitting and environmental review program
- Collaborate on myriad of resource protection issues

Discussion

Dominique Richard: I'm coming late to this discussion (Dominique joined the meeting at around 11am) Did you talk about how the San Francisco-Pacifica Exclusion Zone was included in the management plan?

Paul Michel: No, the Exclusion Zone is not a part of this management plan review. We track and participate in those conversations, but it won't be a part of this plan.

Bruce Bowser: I'm curious about dredge material and how it meets clean standards.

Paul: We work with the United States Environmental Protection Agency (EPA), Army Corp of Engineers, California Coastal Commission (CCC), and State Lands Commission to ensure that

the material is clean enough, suitable enough, and high enough quality for use within the sanctuary. It is a pretty involved program of testing and analyses to meet our standards.

Kris Lannin Liang: San Mateo County Harbor District (SMCHD) released a letter regarding sediment at Pillar Point. There is concern about placement of dredged sand. I'm waiting for a copy of it and I was wondering if it was included in comments? I can send you a copy when I get it. Pillar Point is one of the few harbors without a sand management plan and the Harbor District Board of Commissioners is divided on whether that should be a priority.

Max Delaney (in the chat box): I am not familiar with any local sand management plans that might be written and adopted by the SMCHD. There are recommendations for sand management in both the Santa Cruz Littoral Cell Coastal Regional Sediment Management Plan (CRSMP) and GFNMS' Coastal Resilience Sediment Plan.

Maria Brown (in the chat box): GFNMS was sent a copy of the Harbor Commission letter. We can share the letter with the SAC.

Richard Charter: I attended the MBNMS SAC meeting in which a letter was crafted related to offshore wind. Was that letter finalized and could we have a copy of it for our SAC?

Paul: Yes, that letter was finalized after a long editing process and we can send it around. The gist of it was that the MBNMS SAC felt strongly that offshore wind energy projects were not suitable and compatible in a national marine sanctuary,

Richard: How does that work with the management plan?

Paul: It falls under the spatial planning aspect of resource protection with respect to seismic testing and wave energy.

Dominique: Is there anything you can point to that the GFNMS SAC should specifically respond to regarding the draft management plan?

Maria: We want to make sure the SAC has the opportunity to review the management plan, in particular how it relates to the northern portion of MBNMS. We hope this has provided you with an overview of regulatory changes that have been proposed. The SAC has provided comments on the sediment management plan for beach restoration, and on personal watercraft zones in MBNMS. The zone off of Half Moon Bay, which the SAC recommended to be removed, will stay in place at this time. Are there any other comments that you want to provide or additional information that you need?

John Largier: Maybe some insight on how useful the sediment plan is. Maybe we could have a resolution saying we support what you're doing. But it would be a vague statement. What is the benefit of a resolution here?

Paul: All comments are appreciated.

(Alayne shared her screen with the <u>SAC resolution from 2016 related to dredged materials</u> wherein the SAC recommended that "MBNMS articulate a definition of beneficial reuse of clean dredged materials from harbors or other appropriate materials from other sources at the San Mateo County Surfer's Beach site. The SAC urged an expeditious response to this because of community concerns." She also showed <u>SAC resolutions from 2018 and 2019 related to</u> <u>personalized watercraft zone regulations</u> wherein the SAC recommended that GFNMS staff, through the MBNMS Management Plan Review process, pursue the possible regulatory change in the Motorized Personal Watercraft (MPWC) regulations of eliminating zone 1 in Pillar Point Harbor based on the lack of MPWC use as documented by Beach Watch Data and the difficulty and high cost of maintaining zone markers"; and recommended that the "MBNMS include in their updated draft Management Plan alternative motorized personal watercraft (MPWC) regulatory options for Zones 1 and 5 off Pillar Point Harbor: The alternatives should include but are not limited

to: 1) From December–February MPWC are permitted in Zone 5 during surf advisory days only and permitted in Zone 1 during non-surf advisory days; from March–November Zone 1 is open and Zone 5 is closed. 2) Permanently close Zone 1."

Maria: Can we look at the proposed changes in the plan for dredged material and personal watercraft zones so members can see what was recommended then what was proposed in the management plan?

Proposed rule: NOAA proposes to add a new definition for "beneficial use of dredged material" to clarify that beneficial use of clean and suitable material for habitat restoration purposes within MBNMS is not disposal of dredged material as described at 15 CFR 922.132(a)(2)(i)(F) and 15 CFR 922. 132(f)

John Berge: Is there an established federal definition in the appropriate statues as far as what is "clean dredged material."

Paul: Yes, through the Army Corp of Engineers or EPA.

Kris (in the chat box): (Copy and pasted from the San Mateo Harbor Commission's letter) "Staff believes this definition is restrictive as it limits the source of dredged materials from within four harbors. There are multiple sources of clean and suitable fill that can assist in habitat restoration, and by restricting it to the four harbors, NOAA/MBNMS is unnecessarily limiting a very valuable resource."

Kris (in the chat box): The Harbor District is recommending different language used in place of the proposed language that limits the source of clean dredged sediment to the four harbors located adjacent to the MBNMS, and its use for habitat restoration projects only. Beneficial use of dredged material means the use of dredged material removed from any of the four public harbors immediately adjacent to the shoreward boundary of the sanctuary (Pillar Point, Santa Cruz, Moss Landing

Paul: What they're suggesting is to not limit it to material dredged from the four harbors?

Kris: Yes, that's what I've gathered.

Richard: I would be a little concerned about the undefined parameters. It could lead to confusion later. I'm not sure I could support something that I'm not sure exactly what they're talking about.

Paul: The notion is that there could be, and probably is, suitable beach nourishment besides Pillar Point, Moss Landing and Monterey Harbors. There's nothing precluding us from considering other sources currently.

Maria: "Clean" is defined, and it's stricter than other agencies' definition of clean dredged materials.

Max: The definition of "clean" in the MBNMS regulations would be referenced to existing MB regulations.

Kris: Of the harbors in our area, Pillar Point is the least healthy.

Paul: What the GFNMS SAC recommended is consistent with what we proposed.

Maria: It's consistent with what GFNMS SAC proposed earlier. The SAC resolution recommended that MBNMS projects allow for the use of clean dredged materials, and that clean dredged materials outside of harbors can be used.

Paul: I don't know if that's specifically stated in the plan that I'm aware of.

Richard: When I pull up the regulations, I don't get the definition of "clean".

Maria: We don't define clean because we define "harmful matter". The way we define harmful matter is much stricter than other agencies.

Paul: Clean dredged materials from harbors immediately adjacent to the sanctuary would be considered an eligible source of material for restoring habitats degraded by interruption of local sediment transport.

Max: There is a definition of both "clean" and "harmful" matter in the MBNMS regulations.

Max (in the chat box): MBNMS regulations include definitions for: Clean means not containing detectable levels of harmful matter, and Harmful matter means substance, or combination of substances, that because of its quantity, concentration, or physical, chemical or infectious characteristics may pose a present or potential threat to Sanctuary resources or qualities, including but not limited to: Fishing next, fishing line, hooks, fuel, oil, and those contaminants (regardless of quantity) listed pursuant to 42 U.S.C. 9601(14) of the Comprehensive Environmental Response, Compensation and Liability Act at 40 CFR 302.4.

Paul: Regarding modification of seasonal conditional requirement for motorized personal watercraft access to MPWC zone 5 (Mavericks), we would allow jet ski presence at the break approximately three to five more days per year on average. There are still the months of

December through February that are not changing. This would only be applicable within the season.

Maria: I believe this is consistent with what the SAC recommended.

Paul: The recommendation to eliminate zone 1 is from the GFNMS SAC. What we're proposing is to change boundaries of the zones, so there will be adjustments to the zones themselves and we're calling for a zone use study for all the zones to better determine use patterns or absence or presence of use. It's inconsistent if you were calling for elimination, we plan to do a study.

Maria: SAC passed two resolutions, first was to eliminate, the second was to not eliminate but reconfiguration of the zone. So this answers the request of the GFNMS SAC. This is one more opportunity for feedback from the SAC if the SAC would like to provide any.

Kris: I would like to go back to the original request to eliminate the zone.

John L.: I like the idea of studying the zones. I'm not sure about doubling down and telling them we disagree with them. I'd like to see if anyone else feels strongly.

Paul: Reconfiguring zones to be smaller and closer to shore would offer improved access and better zone monitoring, and aid in enforcement and systematic surveys.

Kris: It is a bit of a wild west out there, and jet ski use is increasing. People are using them to fish and it is really hard to manage with such a huge area. This is what I'm hearing from locals. I'm hearing that they want this thing dialed back, they want to decrease the amount of area to manage. What resources are you planning to use to monitor the jet skis?

Paul: We have volunteers and staff to do visual monitoring in combination with acoustic monitoring on buoys. The research team is working on that to determine the frequency and location. It's difficult to tell if the jet ski is in the boundary but we're working to determine that.

Maria: We have our Beach Watch surveyors to observe if there are jet skis offshore as well.

Dominique: Would the acoustics be able to count the number of jet skis or just tell you if they are present?

Paul: That's what we have the research team determining.

Dominique: So far what's proposed is to delete zone 1. We could make that statement while at the same time acknowledging what MBNMS has determined to do.

Alayne: Right now, we have one proposed recommendation to return to original elimination of the zone, and one recommendation to support more research around the zones.

John L.: At this stage it would be good to support our neighbors. I understand the importance of eliminating the zone but would also support MBNMS in their efforts of research. There are three points: we could appreciate the work done for the plan, appreciate the change of regulation and

beneficial use of sediment, and then reiterate our point on the MPWC zone to eliminate and also support the further study.

Richard: I respectfully request that we handle this as two separate issues. I don't have enough information to make an intelligent decision about the jet ski issue, and I'm reluctant about sediment. As well defined as I would like on harmful and clean definitions, having them together would cause me to abstain or oppose that.

Alayne: We can capture this as two separate motions on dredged material and MPWC.

John L.: It seems to me that harmful matter was reasonably defined here. Maybe we don't have enough engagement from the SAC to make a decision. I'm questioning whether the quorum of the council should vote on this. My recommendation is that we defer. I'm not sure that we would be making a really valuable or fully informed contribution.

Dominique: What we have here is good material to work with but not to publish.

Richard: We can certainly submit any of this as our own personal comments until Sept 4.

Dominique: If we want to expand and have something more thorough, what would be the timing for that? It would be good to have a comment in some form so that it's noted, but additional details that need to be worked out would be when and how we can do that to be relevant.

Maria: A few potential ways of moving forward are: note this in the minutes of the SAC meeting and share that with MBNMS; or pass a resolution at this time or sometime in the next 2 weeks from the SAC to submit as formal comments by the deadlines for public comment (which are within the next two weeks).

Alayne: It may help to have a roll call round table type discussion wherein we can hear from each SAC member on their input and whether they would like to move toward a vote on a resolution today.

(Each member was called on to provide their input)

Nancy Trissel: I agree with wanting a more clear definition on dredge materials and what's harmful. For the MPWC zones, I defer to Kris on her experience with this.

Joe Fitting: I agree with the statements from Nancy.

Kris: I stand by the original recommendation to eliminate zone one and my comments regarding dredge material from earlier.

Barbara: I don't know what the zones refers to. I am somewhat confused about what we're trying to accomplish here.

Kris: The use of jet skis in that area has increased and migrated out of the zone. Because of the difficulty in monitoring and managing these zones, there's an effort on the part of some to shrink

the area that they have to monitor. As I understand it, the zone that we have advocated for removing in the past is a zone that's being increasingly used outside of the Mavericks safety exercises. By removing this zone, we remove the ambiguity of whether jet skis can be there at any time.

Richard: I understand the good intent of these regulations. There are issues related to monitoring and testing protocols. I think this needs more definition, so I have concerns about moving forward. For MPWC zones I think this is another issue where rather than just picking a dot, I would need more information.

Kathi George: I don't have enough information at this time to make a recommendation.

John B.: I'm concerned that as you keep drilling further and further down in the definition, you'll be unable to use any dredged materials at all, so I'm comfortable with that as is and don't think it needs further definition. For MPWC, is the zone that's proposed to be eliminated being used for Mavericks right now or being used by sundry watercrafts? By closing that zone, would that have a negative impact on the surfing competition?

Paul: The zone was designed to be used for some activity during those months, but it's been used outside of that on occasion.

Max: The closing zone is the year-round zone. It's not used as part of the competition. Essentially the area they're operating in is zone 5, which is seasonal. The intent of zone 5 is for the rest of the public to use that zone during a high surf warning. Zone 1 doesn't have a bearing on the contest, and in terms of use, our impression is that it gets very little use. We have some observational data over the years that suggests increased use. We got a comment from OLE folks that because the access pathway to get to zone 1 and zone 5 is the same channel, it creates a situation in which jet skiers can say they're going to zone 1 when they in fact go to zone 5. It is difficult to track and manage.

John B.: Knowing that it wouldn't negatively impact the competition, I would support closing the zone. I also appreciate John Largier's view to consider the MBNMS SAC process to study it further.

Julian Rose: Jet skis can be fitted with a transceiver that can show where they've gone. For dredging, we just went through a rigorous soil sampling in San Carlos. Other than those two anecdotal comments, I don't have anything further.

John L.: I'm okay with that on the dredged. I think the first point of defining "clean" a little bit better is good. But the aim of this is to protect water quality and erosion, if you make the regulations too difficult you'll never be able to reuse dredge material. I could go either way on this. On the MPWC, I tend to defer to what Kris was saying on this, the language there is okay. There's not a lot of argument to keep zone 1 open but I also haven't heard much about zone 1's impact on sanctuary resources. I could go along with the resolution but still not convinced that we should be doing it.

Ezra Bergson-Michelson: I don't have enough information on the topic to comment.

Owen Youngquist: I will also hold off on a comment for now.

Jacob Joseph: I have nothing further to add.

Gerry McChesney: I echo that I don't really feel prepared to comment on it. I agree, I favor restrictions on personal watercrafts, and I lean towards closure of zone 1 but also would like more chances to read up on what the issues are and what the reasons would be.

Jennifer Boyce: Same as Gerry. I don't have a lot of background, but I am concerned about potential impacts to wildlife and safety of participants.

George Clyde: Based on the conversation, I'm in favor of the zone closures. I don't have sufficient knowledge or expertise to talk about the dredging topic.

Bruce Bowser (in the chat box): My mic is not working. On dredge I align with comment up for discussion. On MPWC I align with closure of the zone.

Barbara: What I'm wondering for the dredged material is if we're talking about replenishing the beach, is there any reason we would want it to be cleaner than what's already there? Can't we use the sand already there as the standard?

Max: Essentially there are multiple agencies that make decisions on whether materials are clean and suitable. It gets complex because the level of contamination is determined by the type of sediment you're looking at. You have to determine a whole matrix. They want to make sure they are not introducing any level of contamination that is harmful to the wildlife or humans. EPA and the Water Board drive a lot of the screening and analysis. The bottom line is that the testing is to make sure we're not going to elevate any ambient levels of contamination.

Maria: The SAC comment for clarity on the definition of harmful and clean material would address your question on what clean material means.

Richard: I agree with Barbara on using the ambient beach background levels to get a baseline but it's difficult when storms and swells can bring in harmful material.

Max: There are standard protocols in place for agencies to measure the ambient beach levels. The desired threshold is based on guidelines from other agencies, not necessarily the ambient beach levels.

Maria: The presentation on the clean materials definition from Max from two years ago is available on the SAC webpage and we can send that around again.

Julian: My understanding from dealing with dredging is that the bigger hurdle seems to be the cost and location of where to put clean materials rather than finding clean materials. The Army Corps of Engineers was struggling to find places to put it and the cost associated with that.

(Alayne indicated we are running out of time today, so we can move forward with a vote since a number of members indicated interest in proceeding)

Motion: The SAC will submit a comment to MBNMS stating it recommends that MBNMS more thoroughly clarify the definitions of clean dredged material and harmful matter in regard to beach restoration projects and sediment management.

Yes: 7 No: 0 Abstain: 3 Motion passes.

Motion: The SAC will submit a comment to MBNMS stating it recommends that it should be noted in the MBNMS Management Plan that suitable dredge materials for beach restoration are available from other harbors and other dredge sources, as not to limit the sources to the four sites mentioned in the draft management plan.

Yes: 7 No: 0 Abstain: 3 Motion passes.

Motion: The SAC will submit a comment to MBNMS stating it reiterates its previous recommendation (attached) to close personal motorized watercraft use zone 1 at Pillar Point in MBNMS, but also supports more study and assessment going forward to evaluate the zone.

Yes=9 No=0 Abstain=1 Motion passes. <u>View the resolution</u>.

BREAK

SAC Subcommittee Updates

Pacifica-San Francisco Exclusion Zone Subcommittee Update

Dominique Richard, Subcommittee Chair

The subcommittee has had three meetings; has discussed the history of the area and reasons it was excluded from the nearby national marine sanctuary boundaries previously; and reviewed the 2013 report prepared by University of California, Santa Barbara Bren School of Environmental Science & Management graduate students, which concluded that everything that was identified as a problem previously for closing the zone no longer applies. The subcommittee is looking into a number of possible approaches for dealing with the exclusion zone, with consideration for the possible involvement of the San Francisco Zoo and for local maritime heritage. We are considering the option of a separate proposed sanctuary called "Golden Gate NMS", but there are limitations to that. The other option we are focused on is an expansion of sanctuary boundaries. We will have another subcommittee meeting to prepare our final recommendation, which we will bring to the full council in November.

Recreation & Tourism Subcommittee Update

The subcommittee is actively meeting and will be bringing its recommendations to the SAC at an upcoming meeting.

Diversity & Inclusion Subcommittee Update

The subcommittee is actively meeting and will be bringing its recommendations to the SAC at an upcoming meeting.

Sanctuary Enforcement Update

Office of Law Enforcement (OLE) Update

Daniel Glick, OLE Special Agent

The NOAA OLE has an exception to the limitations on mobility and fieldwork in place for other NOAA offices, so we are out and about and working cases. The flow of leads has dried up as activities have dried up but we're still available to take leads if anyone comes across something that doesn't look right. The Santa Rosa office is on track to get a uniformed officer; this has been delayed but we anticipate this individual should be coming on in the next couple of months. If anyone has any law enforcement-related needs, please feel free to reach out to me or Radford Dew.

Maria Brown: We've had three vessel incidents since the last SAC meeting. One case is closed, and the other two have been sent to the OLE. They're all in some form of investigation so it's been very busy.

United States Coast Guard (USCG) Update

LT Jacob Joseph, UCCG

Operation highlights: We have 21 dedicated C27 NMS flights, 150 patrol hours, and 14 of 87 coastal patrol boats. No violations noted during those assets and no boardings were conducted. Future actions: We have upcoming major cutter patrol, providing dedicated time to patrol in the sanctuary in the far western regions. We will be sure to provide the sanctuary with any violations. We are meeting with representatives from sector San Francisco to ensure that new incoming members are aware of the sanctuary and the responsibilities and coordination efforts. LCDR Lee Crusius has reached out to GFNMS, MBNMS, and CBNMS to provide more of a diversity of experience and range of expertise from the USCG. We are developing exercise and enforcement partnerships, having overflights looking for derelict gear and whale sightings. Personnel notes: Lieutenant Chris Bell will be replacing me as the alternate.

Member Reports

View written submissions.

Dominique Richard, Community-at-Large, Marin: There was a fire in Point Reyes National Seashore and we're under evacuation warning. Beach Watch surveys started again; we only do them with people we live with for Covid-19 precautions. We did one last week, but it will close again because of the fire.

George Clyde, Community-at-Large, Marin: We saw quite an airshow in Marshall as they were scooping water from Tomales Bay and then dumping it on the other side of the hill for the fires. It's been a spotty season for salmon, but it has been semi successful for us.

Nancy Trissel, Community-at-Large, Sonoma/Mendocino (written submission):

- The campaign to buy Mill Bend is less than \$50k away from the goal of \$2.7 million. The management of this property on the Gualala River will, among many other things, facilitate the preservation and increase of Coho salmon and steelhead populations and will extend the California Coastal Trail from the Gualala Point Park northward.
- Beach Watch resumed surveys in July for teams comprised of a single individual or team members who cohabitate. We missed nesting this year, but it is very interesting to see evidence of much increased foot traffic on the trails. In my 12 years on the Mendonoma coast, I have never seen so many people on every beach large or pocket or on the bluff trails in the Sea Ranch, consistently, for so many months.

Joe Fitting, Community-at-Large, San Francisco/San Mateo: Zoos in California were allowed to open again with various conditions for about three weeks now. The Association of Zoos and Aquariums' president drafted a letter to send to Governor Gavin Newsom on the importance of aquariums and how they are essential services and support for communities and to please consider opening them with restrictions in place.

Kris Liang, Community-at-Large, San Francisco/San Mateo (written submission): Rare, giant bluefin tuna off Half Moon Bay have turned the fishing world upside down

Partner/Constituent Groups:

California Department of Fish & Wildlife (CDFW) -

- Numerous reports (and at least one connection made) of fishing in the Montara MPA
- Working with CDFW, County Parks and San Francisco State University to prevent a repeat of an incident involving a San Francisco State University investigator breaking multiple rules, regulations and laws at Fitzgerald during a sculpin egg sack collection event.

Development



• Big Wave Development <u>Update</u> (63 residents housed in a tsunami zone, across the street from an airport behind the industrial area north of Pillar Point that'll contribute to the growing gridlock on the San Mateo County coastside)

MBNMS AC

• Barton (Entanglement Subcommittee) and I picked up two <u>entangled gulls</u> (one survived)

San Mateo County Harbor District/Commission

- West Trail project proceeding quickly
- Meeting scheduled with management to discuss:
 - Lights (buildings and squid boats in the harbor)
 - Sand management plan (they don't have one)
 - Enforcement

San Mateo County Parks

- <u>Tunitas Creek Beach Improvement Project Design Alternatives</u> (ADA Access, Boardwalk through snowy plover habitat (Joanne weighed in from CSP), Ranger housing, Camping)
- Fitzgerald Marine Reserve
 - All beaches closed (Ross' Cove not monitored or enforced jurisdictional issues)
 - High harbor seal count = 73 (which is high!)
 - #1 on the Beach Bummer list FMR was #1...Pillar Point was also on the list (as usual)

California State Parks (San Mateo and Santa Cruz Counties)

- Largely devastated: Big and Little Basin in ruins, Rancho Del Oso ravaged. Holding the lines at Ano Nuevo historic structures. Tons of staff displaced, fighting fires and exhausted.
- Beaches are closed between Pescadero and Santa Cruz, in Half Moon Bay, Pillar Point Harbor and Pacifica – swarms of people wanting to picnic on a beach right now is at Montara, Moss Beach and Miramar – lots and lots of trash

Legislative Action(s)

• HMB banning single-use plastics!

<u>SB 54 (Allen, et al.) / AB 1080 (Gonzalez et al.)</u> The California Circular Economy and Plastic Pollution Reduction Act

Significantly reduces the amount of single-use, non-recyclable, and non-compostable packaging and products that burden taxpayers and local governments with cleanup costs and litters our neighborhoods, parks, rivers, and beaches. SB 54 and AB 1080 are identical bills that establish a comprehensive plan to address plastic pollution and the waste crisis.

While you're cooped up: Sharks w/ Dr. Sylvia Earle Shipwrecks of San Mateo w/ Mark Hylkema (Aug 28) **Barbara Emley, Commercial Fishing:** I don't have a lot to add to Sarah Bate's written report. She's out fishing now and couldn't make it today. It is a good salmon season so far this year.

Sarah Bates, Commercial Fishing (not present, written submission):

- Pier 45 fire: On May 23, 2020, an early morning fire destroyed most of the contents of Shed C at Pier 45, Fisherman's Wharf. The 10,000 SF warehouse contained storage spaces for 31 fishermen, 1 processor, the Red & White fleet, and the Jeremiah O'Brien. The building and contents are a total loss and there does not appear to be insurance coverage for any of the contents. This is a huge loss to the fleet; we estimate 2/3 of our collective fishing capacity was lost. Rebuilding the gear and capacity will take years. Cause and origin have been determined as unknown and accidental.
- Salmon season is still underway south of Point Arena. It's been a relatively slow season, though there was a large body of fish at the "football" in late July, which you will remember from the GFNMS rover footage! Salmon are starting to morph out of their summer bodies into dark, hooknosed breeders.
- Crab gear retrieval: The San Francisco fleet is still working to recover untended gear from Pacific waters. We have retrieved over 300 traps and the fishing grounds are essentially free of vertical lines during the summer when whale concentrations are high. We have seen huge numbers of humpback and blue whales this year.

Richard Charter, Conservation (*written submission*): The current Administration is rushing to accomplish as much environmental mischief as possible prior to the November election:

Offshore Oil Drilling:

A resumption of the implementation of the Five-Year Outer Continental Shelf Offshore Oil and Gas Leasing Plan is anticipated three weeks after the election, regardless of the outcome, see https://www.politico.com/news/2020/06/10/interior-drilling-florida-waters-november-election310595

The Five-Year OCS Plan includes a total of six new offshore drilling lease sales off of the California Coast, and two of those lie offshore the Central California OCS Planning Area. A recent announcement by the President that he will not pursue offshore drilling off of Florida and had already "signed an order" to that effect, was not accompanied or preceded by the referenced order. California was not included in the reprieve, see <u>https://www.huffpost.com/entry/trump-offshore-drilling-florida_n_5f2c7050c5b6b9cff7ef13f5</u>

The Marin County Board of Supervisors on August 18, 2020 held their first reading of a new local ordinance that would reinforce an existing county ban by precluding the siting of any onshore facility serving offshore oil and gas drilling from any coastal lands in Marin unless supported by a vote of the electorate. This would align Marin with nine other California coastal counties and nineteen other California coastal cities who adopted similar ordinances between 1986 and 1990. The final adoption of this ordinance by the Marin County Board of Supervisors is anticipated on August 25, 2020, see https://www.sfgate.com/news/bayarea/article/Supes-Approve-Requiring-Voter-Approval-For15495597.php, and https://www.ptreyeslight.com/article/marin-adds-protection-against-future-oil-drilling

Arctic National Wildlife Refuge:

On August 17, 2020 the Interior Department in conjunction with the US Fish and Wildlife Service issued a Record of Decision (ROD) formally opening the Arctic National Wildlife Refuge to oil and gas drilling. The ROD represents the "worst case" scenario in terms of maximizing damage to the Refuge and the ensuring the largest possible geographic footprint for industrialization, see <u>https://www.washingtonpost.com/climate-environment/2020/08/17/trump-drilling-arcticnational-wildlife-refuge-alaska/</u>

Floating Offshore Wind Arrays in Sanctuary Waters?

Continued discussions at various levels indicate that there are those affiliated with the Monterey Bay National Marine Sanctuary who might consider allowing the siting of floating offshore wind arrays within Sanctuary boundaries, a precedent that, if adopted, could someday erode protections in other Sanctuaries, including GFNMS, see

https://oceanexplorer.noaa.gov/explorations/19express/background/wind/wind.html

"Closing the Donut Hole":

The Marin Independent Journal noted that an agenda item related to "Closing the Pacifica Exclusion Zone" was to be considered on the August GFSAC agenda and their reporter started making a series of calls, resulting in this story about this topic, see

https://www.marinij.com/2020/08/13/farallones-national-marine-sanctuary-expansion/ Upcoming Plans for New Offshore Drilling Lease Sales Off of California:



Bruce Bowser, Conservation (*written submission*):

- During the Pandemic, Marin County Parks and GFNMS have suspended invasive plant removal from Kent Island in Bolinas Lagoon
- I have attended 6 Virtual meetings for the Greater Farallones Sanctuary. Committees that have met are the Recreation & Tourism and the Exclusion Zone Committee as well as one SAC virtual meeting. Good for Sanctuary business and allowing essential updates. It is nice to be able to see everyone and still feel in touch.
- Graffiti and tagging on the Bolinas seawalls and revetments seem to be on the rise since the Pandemic. The Seawalls are still being actively rolled over with a new and better adhering paint that seems to be holding up well.
- Rocky Shore docents and supporters of Duxbury Reef in Bolinas have been called upon to react to pandemic visitation that surpasses all expectations. EAC put a call out to

docents and others to volunteer to host reef visitation as there have been numerous reports of large scale collecting of snails and urchins beyond previous experience. This spring and summer there were few student groups but a vast increase in coastal tourism.

Kathi George, Conservation (*written submission*): The California Dungeness Crab Fishing Gear <u>Working Group</u> continues to meet. CDFW is targeting November 1, 2020 for new regulations in the Dungeness crab (D crab) fishery. Cascadia Research Collective, SR3, and The Marine Mammal Center will be conducting vessel surveys throughout the D crab fishery range (Oregon border to Point Conception) starting this fall to inform the new RAMP regulations. The National Marine Sanctuary Foundation is leading efforts to test gear innovations (low-tech (e.g. yale grip sleeve) and pop-up gear) in the D crab fishery. Lastly, there was 1 reported entanglement of a gray whale in August.

John Berge, Maritime Commercial Activities: not much of a member report but want to let the group know about a *Wall Street Journal* podcast called "The Future of Everything" which looks at a variety of issues. The last episode was on whales along the coast; they ended up focusing on orca pods in the Pacific NorthWest. Only concern was that they talked about ship strikes and humpback whales and blue whales and orcas, they tended to confuse some of the issues that affect each type of whale.

John Largier, Research (written submission):

ACCESS Cruises

• July and September cruises cancelled.

Farallon Islands

• Operations on the island continue with a reduced crew focused on priority datasets.

Central and Northern California Ocean Observing System (CeNCOOS) activities

- Ongoing shore stations (Bodega Head, Fort Point, Santa Cruz Wharf) and offshore moored sensors (Bodega Head, Tomales Bay Hog Island & Inverness, Cordell Bank, Monterey Bay).
- Ongoing surface current mapping (HF Radar).
- Glider re-deployed on Stewarts Point line in June.
- Harmful Algal Bloom monitoring at Bodega Marine Lab (BML).

Specific studies

- California Collaborative Fisheries Research Program (CCFRP) ongoing https://www.mlml.calstate.edu/ccfrp/
- Living shorelines scoping for Tomales Bay (County of Marin)
- Planning for study of beach dynamics in Tomales Bay
- River plume analysis (OPC sediment plumes, CeNCOOS outflow from SF Bay)
- Numerical modeling of SF Bay outflow in context of biogeochemistry (OAH)
- Kelp forest analyses in context of restoration (Sea Grant)
- Working group to understand seastar wasting disease
- Nancy Foster scholars Kate Hewett (Climate Change deoxygenation; see mosaic and short-term variability), Carina Fish (deep-water corals & oceanography/productivity)

Workshops and conferences

- No conferences/workshops in recent past or foreseeable future although weekly seminar series continue, e.g., SF State Estuary and Ocean S, BML.
- Anticipate convening a Beyond Golden Gate Symposium in 2021

Jaime Jahnke, Research: ACCESS cruises canceled due to Covid-19. No cruises in May and July, waiting for a decision about September. First time since 2004 that we have had no surveys. Farallon islands monitoring and coastal projects were not impacted by Covid-19.

Ezra Bergson-Michelson, Youth (*written submission*): The Youth Advisory Council met, and we would be happy to help spread the word for recruitment for the GFNMS Advisory Council.

Owen Youngquist, Youth: School is starting but it's all online. It's been difficult for science teachers to teach the entire curriculum online. I can report to the SAC what I'm learning through online school. It's important to make sure we're educating kids and informing the future generation about the sanctuary and see how we can communicate that online.

Maria Brown (in the chat box): Owen, GFNMS would be interested in hearing from your perspective how to best deliver marine science programs to high school students.

Josh Russo, Maritime Activities/Recreational (not present, written submission):

The ongoing projects have been the Red Abalone Fishery Management Plan with the California Department of Fish and Wildlife and the urchin removal project.

Abalone: I expect the DFW to ask for a 5-year extension on the abalone closure to complete the management plan. I don't see much resistance since no one believes that take is responsible at this time. I did submit a petition to the department that received nearly 3,000 signatures to include a *de minimis* fishery in the plan. In meetings with the department they had indicated that their intention was to propose a plan that would allow fishermen to take the animals biologists needed for samples. This is approximately 60-100 animals per year. They intended to leave the level of take at this number until the fishery could handle a small fishery of 5,000 or more animals and their estimates were that it could take as long as 30 years to get to that point. My petition was to say that fishermen find value in a smaller fishery that could open sooner so we asked that they allow opportunity at much smaller numbers when it would be responsible. The department accepted the petition and in discussions with the biologists they intend to write the plan now to allow smaller opportunities when it can be done responsibly and at a level that would not affect the overall recovery of the fishery. This would be a highly regulated and restricted fishery. The intention is that the biologists could say they need animals from a certain area to know what's happening there or they need animals of a certain size to check reproductive activity. Divers may be required to dive on a specific day and report to a DFW location for biologists to take samples. There was also discussion during the creation of the management plan of using harvest data to manage areas like Humboldt-Del Norte but the reliability of this information was considered unreliable or not accurate by the department so this is an opportunity to experiment with regulations and data collection in a highly regulated manner so that we have more confidence in our decision making when the fishery eventually reaches a higher, less regulated level.

Urchin: I believe this is reported in another area of the agenda, so I'll keep this brief. The state allocated \$500,000 to our commercial effort in Mendocino this year and \$600,000 for statewide Kelp restoration effort. Our Mendocino project is the pilot project for how to proceed in the rest of the state. Reef Check got the contract for study design and monitoring. Our recreational efforts have continued as well. The DFW is allowing us to crush at Caspar Cove in Mendocino as part of the study with Reef Check and the commercial divers. This means the recreational divers can crush in the water. Previously we were collecting them in bags and removing them before crushing and discarding them. A new study is set to begin in Monterey as well and will also be designed and monitored by Reef Check.

Gerry McChesney, USFWS: We are still telecommuting. Only essential staff are on the Farallon Islands with mostly Point Blue staff, with a reduced number of people and reduced number of boats. We have some contracting projects coming up this fall that we will try to make work. Seabird season is winding down. It looks like a good season overall dominated by northern anchovy later in the season. For seabird monitoring on the mainland, we had unprecedented numbers of fishing boats that were coming in close. A lot of people that have been stuck at home are getting out on the water. We are seeing good numbers of birds nesting. We are working on setting an appropriate date to go before the California Coastal Commission for the Farallon Islands mouse eradication project.

Jennifer Boyce, NMFS: There is no fieldwork going on. We are waiting for guidance on when people can get back out. We've been busy with the Refugio oil spill case down south; we've released a draft restoration plan. Shout out to the Seabird Protection Network for their great presentations.

Jan Roletto (in the chat box): A new Nancy Foster Scholar, Tammy Russell, will be working on seabird abundance and distribution along the west coast, and species that may be impacted by offshore wind farms.

Adjourn.

Meeting highlights prepared by Alayne Chappell, Advisory Council Coordinator.