Section 4: Appendices



Waves crash near San Simeon. Photo: Robert Schwemmer/NOAA

- Acronyms
- Jurisdictional Authorities
- Management Plan/Condition Report Connections
- Prohibitions, Permitting, and Exceptions

Appendix A - Acronyms

ACCESS Applied California Current Ecosystem Studies
AMBAG Association of Monterey Bay Area Governments

APPS Act to Prevent Pollution from Ships
ASBS Area of special biological significance
AUV Autonomous underwater vehicle

AWQA Agriculture Water Quality Alliance

Beach COMBERS Beach Coastal Ocean Mammal/Bird Education & Research Surveys

BLM Bureau of Land Management

BOEM Bureau of Ocean Energy Management

BSEE Bureau of Safety and Environmental Enforcement

Caltrans California Department of Transportation
CAPS Commerce Alternative Personnel System

CCA California Coastal Act

CCAMP California Coast Ambient Monitoring Program

CCAT Central Coast Action Tracker
CCC California Coastal Commission

CCLEAN Central Coast Long-Term Environmental Assessment Network

CCRWQCB Central Coast Regional Water Quality Control Board

CDFW California Department of Fish and Wildlife

CDP Coastal development permit

CDPR California Department of Parks and Recreation
CEDEN California Environmental Data Exchange Network
CREME Castal Resistant Management Plant

CRSMP Coastal Regional Sediment Management Plan

CSCAPE West Coast Collaborative Survey of Cetacean Abundance and the Pelagic

Ecosystem

CSP California State Parks

CSUMB California State University Monterey Bay

CWA Clean Water Act

CWG Conservation Working Group
CZMA Coastal Zone Management Act

DBW California Department of Boating and Waterways

DDT dichlorodiphenyltrichloroethane

DOC Department of Commerce
DOD Department of Defense

DOI Department of Interior

DPS Distinct population segment

DSMZ Davison Seamount Management Zone

EFH Essential fish habitat

EO Executive Order

EPA Environmental Protection Agency

ERMA Environmental Response and Management Application

ESA Endangered Species Act

ESNERR Elkhorn Slough National Estuarine Research Reserve

ESU Evolutionary significant unit

FAA Federal Aviation Administration

GIS Geographic information system

GPO U.S. Government Publishing Office

GRT Gross registered tons

GSA General Services Administration

HAB Harmful algal bloom

HAZWOPER Hazardous Waste Operations and Emergency Response

IC Incident Command

IMO International Maritime Organization

IT Information technology

JEA NOAA Joint Enforcement Agreement

JIC Joint Incident Command

LETAC Law Enforcement Technical Advisory Committee

LiMPETS Long-term Monitoring Program & Experiential Training for Students

MARPOL₇₃/78 United States Annex V of the International Convention for the Prevention

of Pollution from Ships, 1973, as modified by the Protocol of 1978

MARS Monterey Accelerated Research System

MBARI Monterey Bay Aquarium Research Institute
MBNMS Monterey Bay National Marine Sanctuary
MBON Marine Biodiversity Observation Network

MBTA Migratory Bird Treaty Act
MDS Marine sanitation device

MERITO Multicultural Education for Resource Issues Threatening Oceans

MLPA Marine Life Protection Act

MMPA Marine Mammal Protection Act

MOA Memorandum of agreement

MPA Marine Protected Area

MPRSA Marine Protection, Research, and Sanctuaries Act

MPWC Motorized personal watercraft

MS4 Municipal Separate Storm Sewer System

MSFCMA Magnuson-Stevens Fishery Conservation and Management Act

MSP Marine spatial planning

NEPA National Environmental Policy Act
NGO Non-governmental organization
NHPA National Historic Preservation Act

NMFS NOAA National Marine Fisheries Service

NMSA National Marine Sanctuaries Act

NOAA National Oceanic and Atmospheric Administration

NOS National Ocean Service

NPDES National Pollution Discharge Elimination System

NPS National Park Service

OLE NOAA Office of Law Enforcement

ONMS NOAA Office of National Marine Sanctuaries

OPA Oil Spill Prevention Act of 1990

OPC Ocean Protection Council

PBDE Polybrominated diphenyl ether

PCB Polychlorinated biphenyls

PFMC Pacific Fishery Management Council

psu Practical salinity unit

qPCR Quantitative polymerase chain reaction

RAP Research Activity Panel

RCD Resource Conservation District
ROV Remotely operated vehicle

RULET Remediation of Underwater Legacy Environmental Threats

SAMSAP Sanctuary Aerial Monitoring and Spatial Analysis SCAT Shoreline Cleanup and Assessment Technique

SERC Smithsonian Environmental Research Center

SESA Sanctuary ecologically significant area

SIMoN Sanctuary Integrated Monitoring Network

SLC California State Lands Commission

SRWCB State and Regional Water Control Boards

SWQPA State Water Quality Protection Areas SWRCB State Water Resources Control Board

SWRP Storm Water Resource Plans

Team OCEAN Ocean Conservation Education Action Network

TMDL Total maximum daily loads
TOPP Tagging of Pacific Predators
TSS Traffic separation scheme
UAS Uncrewed aircraft systems

UCSB University of California Santa Barbara
UCSC University of California Santa Cruz

USACE United States Army Corps of Engineers

USCG United State Coast Guard
USFS United States Forest Service

USFWS United States Fish and Wildlife Service

USGS United States Geological Survey
VMA Voluntary management area

WQPP Water Quality Protection Program

WRC Western Regional Center

Appendix B – Jurisdictional Authorities

The sanctuary overlaps and borders the jurisdictions of several other agencies. Coordination and cooperation among the responsible agencies are critical to the success of the sanctuary. These agencies and their roles in assisting management of the sanctuary are described below.

Federal Authorities

National Marine Sanctuaries

One other national marine sanctuary shares a boundary with MBNMS. To the north is Greater Farallones National Marine Sanctuary. Sanctuary staff at MBNMS work closely with Greater Farallones National Marine Sanctuary to protect shared populations and habitats.

Greater Farallones National Marine Sanctuary is responsible for managing programs and regulations of the Northern Management Area of MBNMS, which includes all MBNMS waters and submerged lands north of Point Año Nuevo and the San Mateo/Santa Cruz county line.

United States Forest Service

The sanctuary manages waters adjacent to the Los Padres National Forest. The USFS works closely with the sanctuary on the protection and management of natural and cultural marine resources as well as on education.

United States Fish and Wildlife Service (USFWS)

Within the waters of MBNMS, USFWS is responsible for protecting all marine mammal species, including sea otters and excluding cetaceans and pinnipeds listed under MMPA and short-tailed albatross and other bird species listed as threatened or endangered under the ESA. NMFS is responsible for protecting cetaceans and pinnipeds under the MMPA and sea turtles and fish that are listed as threatened or endangered under the ESA.

National Park Service (NPS)

Although there are no national parks adjacent to sanctuary waters, there is significant collaboration between the agencies for protection of maritime heritage resources and submerged archeological resources.

Abandoned Shipwreck Act

The Abandoned Shipwreck Act establishes government ownership over the majority of abandoned shipwrecks located in U.S. waters and creates a framework within which shipwrecks are managed. Enacted in 1988, it affirms the authority of state governments to claim and manage abandoned shipwrecks on state submerged lands. Under the Abandoned Shipwreck Act, the laws of salvage and finds do not apply to any shipwreck covered under the act. The act asserts that shipwrecks are multiple-use resources.

NPS has prepared guidelines to assist states and federal agencies in carrying out their responsibilities under the act. Issued in 1990, the guidelines provide advice on establishing and funding shipwreck management programs and technical guidance on surveying, identifying, documenting, and evaluating shipwrecks. In addition, the guidelines suggest ways to make sites

publicly accessible and to recover shipwrecks using public and private entities. They also include advice on establishing volunteer programs, interpreting shipwreck sites, and creating and operating underwater parks.

National Marine Fisheries Service (NMFS)

NMFS is responsible for enforcing the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), the MMPA, and the ESA. Pursuant to the MSFCMA, NMFS approves, implements, and enforces fishery management plans prepared by regional fishery management councils. NMFS works closely with CSFW and USCG for enforcement operations both within and outside the three-mile territorial sea. Monterey Bay fish populations affected by fishery management plan regulations include coastal pelagic species, flatfish, highly migratory species, rockfish, groundfish, and salmon.

NMFS shares responsibility with USFWS for implementation of the MMPA and the ESA (see USFWS entry above).

NMFS has responsibility under the MSFCMA for approving, implementing, and enforcing fishery management plans prepared by regional fishery management councils to ensure protection of fishery resources in the exclusive economic zone. NMFS also shares responsibility with USFWS for the implementation of the MMPA and the ESA to prevent taking of any endangered, threatened, or otherwise depleted species.

United States Coast Guard (USCG)

The USCG is the federal government's primary maritime law enforcement agency. USCG missions include maritime law enforcement, national security, maritime safety, and marine environmental protection. For ocean and coastal activities, the USCG manages maritime transportation activities in order to minimize loss of life and damage to the environment. The USCG has historically held the primary responsibility for ensuring cleanup of any oil spill or other pollutants in the marine environment. To avert oil spills and promote safety, the USCG inspects vessels carrying oil and other hazardous materials. The USCG requires vessels to have approved response plans detailing owner and operator response to an oil spill and ensuring proper response activities. Pursuant to the Oil Spill Prevention Act of 1990 (OPA), which defines ground rules for dealing with oil pollution events and recommends pollution prevention measures, the USCG has responsibility for preparing most of the regulations necessary to implement OPA. Additionally, the USCG must be consulted in the development of oil spill contingency plans for marine oil and gas facilities and terminals. The OPA also allows for natural resource damage recovery by federal and state resource trustees.

The USCG holds broad responsibility for enforcing all federal laws throughout the sanctuary and assists NOAA in the enforcement of sanctuary regulations. The USCG provides on-scene coordination with regional response center facilities under the National Contingency Plan for removal of oil and hazardous substances in the event of a spill that threatens sanctuary resources.

Bureau of Ocean Energy Management (BOEM)

BOEM is responsible for managing development of the nation's offshore resources in an environmentally and economically responsible way. Functions include leasing, plan administration, environmental studies, NEPA analysis, resource evaluation, economic analysis, and the Renewable Energy Program.

Outer Continental Shelf Lands Act

The Outer Continental Shelf Lands Act, created on August 7, 1953, defines the outer continental shelf as all submerged lands lying seaward of state coastal waters (three miles offshore) which are under U.S. jurisdiction. Under the act, the Secretary of the Interior is responsible for the administration of mineral exploration and development of the outer continental shelf. The act empowers the secretary to grant leases to the highest qualified responsible bidder on the basis of sealed competitive bids and to formulate regulations as necessary to carry out the provisions of the act. The act, as amended, provides guidelines for implementing an outer continental shelf oil and gas exploration and development program.

Submerged Lands Act

The Submerged Lands Act of 1953 grants individual states rights to the natural resources of submerged lands from the coastline to no more than three nautical miles (5.6 km) into the Atlantic, Pacific, and Arctic oceans, and the Gulf of Mexico. The only exceptions are Texas and the west coast of Florida, where state jurisdiction extends from the coastline to no more than three marine leagues (16.2 km) into the Gulf of Mexico.

The Submerged Lands Act also reaffirmed the federal claim to the lands of the outer continental shelf, which consists of those submerged lands seaward of state jurisdiction. The Submerged Lands Act led to the passage of the Outer Continental Shelf Lands Act later in 1953. The Outer Continental Shelf Lands Act and subsequent amendments, in later years, outlines the federal responsibility over the submerged lands of the outer continental shelf.

Bureau of Safety and Environmental Enforcement (BSEE)

BSEE was created to enforce safety and environmental regulations. Functions include all field operations including permitting and research, inspections, offshore regulatory programs, oil spill response, and newly formed training and environmental compliance functions.

Environmental Protection Agency (EPA)

The EPA has regulatory responsibilities with regard to ocean water quality. Under the U.S. Clean Water Act (CWA), EPA establishes and enforces water quality standards for waters outside of the three-mile state waters. Title 1 of the Marine Protection, Research, and Sanctuaries Act (Ocean Dumping Act) prohibits the unpermitted dumping of "any material transported from a location outside the United States" into the territorial sea of the United States, or into the zone contiguous to the territorial sea, to the extent discharge into the contiguous zone would affect the territorial sea or the territory of the United States. The act is administered by the EPA and supersedes any CWA requirements.

The EPA has regulatory responsibilities with regard to sewage outfalls (under the CWA via NPDES permits), and ocean dumping (under Title I of the Marine Protection, Research, and Sanctuaries Act) to protect water quality.

Federal Water Pollution Control Act

The Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA), 33 U.S.C § 1251 *et seq.*, requires California to submit statewide and basin plans to the EPA for approval. The CWA differentiates between point-source and nonpoint-source pollution. Point sources of pollution are those that have a fixed discharge point. For example, sewage treatment plants (also called publicly owned treatment works) or industrial facilities (such as power plants or oil refineries) are considered point sources.

Point source discharges are illegal under the CWA unless authorized by NPDES permit. Under CWA Section 402 (33 U.S.C. § 1342), any discharge of a pollutant from a point source (e.g., a municipal or industrial facility) to the navigable waters of the United States or beyond must obtain an NPDES permit, which requires compliance with technology- and water-quality-based treatment standards.

CWA Section 312 (33 U.S.C. § 1322) contains regulations protecting human health and the aquatic environment from disease-causing microorganisms that may be present in sewage from boats. Pursuant to Section 312 of the CWA, all recreational boats with installed toilet facilities must have an operable marine sanitation device on board. All installed marine sanitation devices must be Coast Guard-certified. Coast Guard-certified devices are so labeled except for some holding tanks, which are certified by definition under Section 312 of the CWA (33 U.S.C. § 1322). In 2012, under the authority of the CA Section 312, the EPA established national no discharge zones within which sewage discharges are prohibited from all large passenger vessels (of 300 gross tons or greater) and from large oceangoing vessels (of 300 gross tons or greater) with available holding tank capacity or containing sewage generated while the vessel was outside of the marine waters of the state of California. In California, no discharge zones have been created for 10 bays and harbors along the outer coast and for all state marine waters (i.e., within three nautical miles of the shore).

Water Quality Impairments

Section 303(d) of the CWA requires the states to submit to the EPA a list of water bodies that do not meet water quality standards for specific pollutants (i.e., are "impaired"). On November 12, 2010, USEPA approved the inclusion of all waters to California's 2010 303(d) list of impaired waters requiring total maximum daily loads (TMDLs) and disapproved the omission of several water bodies and associated pollutants that meet federal listing requirements. On October 11, 2011, USEPA issued its final decision regarding the water bodies and pollutants USEPA added to California's 2010 303(d) List. In the vicinity of MBNMS, the following areas were identified in the 2010 303(d) list: Capitola Beach, Rio Del Mar Beach and Stillwater Cove.

Total Maximum Daily Loads (TMDLs)

Under the CWA, TMDLs are required to be developed for 303(d) listed water bodies. The purpose of a TMDL is to bring a water body back into compliance with the water quality objective for which it was listed. The development of a TMDL involves the identification of the

various sources contributing to the water quality standard exceedance, including both point and nonpoint sources. The TMDL must also consider the natural background level and a margin of safety. Once a TMDL is developed, it must be approved and included in the basin plan. Implementation of the TMDLs will, by necessity, include public involvement and education, since many of our pollution problems are related to nonpoint sources and urban stormwater runoff, which are not regulated activities.

Title I of the Marine Protection, Research, and Sanctuaries Act, also known as the Ocean Dumping Act, 33 U.S.C. §§ 1401-1445

The Marine Protection, Research, and Sanctuaries Act (MPRSA) regulates the dumping of wastes into marine waters. It is the primary federal environmental statute governing transportation of dredged material for the purpose of disposal into ocean waters, while CWA Section 404 governs the discharge of dredged or fill material into all waters of the U.S. In 1983, a global ban on the dumping of radioactive wastes was implemented. The MPRSA and the CWA regulate materials that are disposed of into the marine environment, and only sediments determined to be nontoxic by EPA standards may be disposed of into the marine environment. The EPA and the USACE share responsibility for managing the disposal of dredged materials.

Bureau of Land Management (BLM)

The BLM is responsible for managing the California Coastal National Monument that was established by Presidential Proclamation on January 11, 2000, under the authority of the Antiquities Act of 1906. It is composed of over 20,000 rocks and small islands spread along the 1,100 mile California coastline. The Point Arena-Stornetta Unit includes 1,665 acres of federal land administered by the BLM along the Northern California coastline, immediately south of Point Arena.

United States Army Corps of Engineers (USACE)

Rivers and Harbors Appropriations Act of 1899, 33 U.S.C §§ 401, 403

USACE acts in accordance with the provisions of the Rivers and Harbors Act, which regulates placement of structures or other work in addition to fill in "navigable waters," and CWA (Section 404), which governs fill in "waters of the United States," including wetlands. A USACE permit is required if a project would place structures within navigable waters or if it would result in altering waters of the U.S. below the ordinary high water mark in non-tidal waters. The USACE does not issue these types of permits in cases where the USACE itself is the lead agency; instead it evaluates the project to determine compliance and acceptability. Typical activities requiring Section 10 permits are construction of buoys, piers, wharves, bulkheads, marinas, ramps, floats, intake structures, and cable or pipeline crossings, and dredging and excavation.

State Authorities

California Department of Fish and Wildlife (CDFW)

The CDFW, under the Fish and Game Code (and Chapter 14 of the Administrative Code), regulates and manages a wide variety of activities affecting the living marine resources found in the territorial sea and in the 200-mile-wide exclusive economic zone. In cooperation with NMFS, the CDFW enforces federal regulations established under the MSFCMA. It also enforces

and implements the Marine Life Management Act and the Marine Life Protection Act (MLPA). The CDFW has established ecological reserves, marine reserves, game refuges, and marine life refuges in the ocean waters and submerged lands surrounding Monterey Bay. The agency has the authority to prohibit or restrict activities that may harm resources, including fishing, collecting, swimming, boating, and public entry. The CDFW works closely with the sanctuary in oil spill response, damage assessment, and restoration through its Office of Spill Prevention and Response.

Several fisheries conducted within MBNMS are managed by the state of California. The CDFW is responsible for preparing fishery management plans under the authority of the California Fish and Game Commission and the California State Legislature. Monterey Bay fish populations affected by California regulations include California halibut, Dungeness crab, nearshore finfish, market squid, and rock crab.

The CDFW regulates commercial fishing, including the taking of tidal invertebrates for commercial purposes, under a licensing system. CDFW also regulates sport fishing through license and bag limit systems. A sport fishing license is required for the taking and possession of fish for any non-commercial purpose. CDFW also leases state water bottoms for the purpose of aquaculture.

State Water Resources Control Board (SWRCB)

The SWRCB is responsible for water quality within state waters. The SWRCB adopts statewide water quality control plans and policies, such as the Ocean Plan, the Thermal Plan, and the State Implementation Policy. The regional water control boards adopt and submit basin plans to the state board for approval. Title III, Section 303 of the CWA requires California to submit statewide and basin plans to the EPA for approval.

On March 21, 1974, the SWRCB decided that, "The list of Areas of Special Biological Significance (ASBS) will be used to identify for planning purposes, those areas where the regional water quality control boards will prohibit waste discharges." The SWRCB established a system of 34 ASBS, now known as state water quality protection areas (SWQPA). These are areas designated for special protection from undesirable alteration in natural water quality. Seven ASBSs are located in MBNMS. These are James V. Fitzgerald Marine Reserve, Año Nuevo Point and Island, Pacific Grove Marine Gardens Fish Refuge/Hopkins Marine Life Refuge, Carmel Bay, Point Lobos Ecological Reserve, Julia Pfeiffer Burns Underwater Park, and the ocean area surrounding the mouth of Salmon Creek.

An ASBS is a marine or estuarine area that is designed to protect marine species or biological communities from an undesirable alteration in natural water quality. The SWRCB is responsible for designating these areas. In an ASBS, point source waste and thermal discharges are prohibited or limited by special conditions. Nonpoint source pollution is controlled to the extent practicable. No other use is restricted by the state in these areas.

The Ocean Plan prohibits the discharge of wastes to an ASBS. Discharges must be located a sufficient distance from an ASBS to ensure maintenance of natural water quality. Limited-term maintenance, repair, and replacement activities (e.g., on boat facilities, sea walls, stormwater pipes, and bridges) resulting in waste discharges in an ASBS may be approved by a regional

water quality control board. Such discharges are allowable only if they result in temporary and short-term changes in existing water quality, and do not permanently degrade water quality. All practical means must be implemented in order to minimize water quality degradation. The Ocean Plan does not regulate the discharge of vessel wastes, dredging, or the disposal of dredge spoil materials.

The Thermal Plan requires existing discharges of elevated temperature wastes to comply with limitations necessary to ensure protection of ASBSs. New discharges of elevated temperature wastes must be discharged a sufficient distance from an ASBS to ensure the maintenance of natural temperature in these areas. Additional limitations may be imposed in individual cases if necessary for the protection of ASBSs.

Porter-Cologne Water Quality Control Act, California Water Code §§ 13000-14958

The Porter-Cologne Water Quality Control Act contains provisions for enforcing water quality standards through issuance of waste discharge requirements. Pursuant to the act, the SWRCB has the primary responsibility to protect California's coastal and ocean water quality. SWRCB has been given the authority by the EPA to administer the NPDES program for California. The regional water quality control boards, in coordination with the SWRCB, issue both state waste discharge requirements and NPDES permits to individual dischargers. Dischargers are required to establish self-monitoring programs for their discharges and to submit compliance reports to regional water quality control boards. The SWRCB has established regulations to implement these measures through water quality control plans, including the California Ocean Plan (Ocean Plan), the Regional Water Quality Control Plans (Basin Plans), and the Thermal Water Quality Control Plan (California Ocean Resources Management Program 1995). The Ocean Plan is applicable to nearshore ocean waters, but does not cover enclosed bays and estuaries. The Thermal Plan covers waste heat (e.g., from power plants) into all of the state's coastal waters. The Regional Board Basin Plans are applicable to freshwater bodies (e.g., streams and rivers) as well as enclosed bays and estuaries.

In addition, the state has a Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy). The State Implementation Policy includes the measures by which California implements the EPA California Toxics Rule. The California Toxics Rule establishes water quality criteria for priority toxic pollutants.

The State Water Resources Control Board adopts the statewide water quality control plans and policies, such as the Ocean Plan, the Thermal Plan, and the State Implementation Policy. The regional boards adopt and submit basin plans to the state board for approval.

California Coastal Commission (CCC)

The California Coastal Commission (CCC) was established under the California Coastal Zone Management Act (CZMA) of 1972, which gives authority to the commission to establish policy for activities in state waters. The CZMA established the authority for a federal-state partnership to manage development and use of the coastal zone. The CCC also has the authority to review

federal activities in the coastal zone to ensure consistency with California's Coastal Zone Management Program.

The CCC was established under the California Coastal Act, which gives authority to the commission to establish policy for activities in state waters. In addition, seaward of state jurisdiction, federal development and activities directly affecting the coastal zone must be conducted in a manner consistent with these policies to the maximum extent practicable.

Coastal Zone Management Act, 16 U.S.C. §§ 1451-1466

The Coastal Zone Management Act (CZMA) provides incentives for coastal states to develop and implement coastal area management programs. It is significant with regards to water pollution abatement, particularly concerning nonpoint source pollution. Under the CZMA, the NOAA Office of Ocean and Coastal Resource Management reviews state coastal nonpoint source control programs developed for approval under the Coastal Zone Act Reauthorization Amendments of 1990. The office also administers grants to states for coastal nonpoint source control program implementation activities. The Plan for California's Nonpoint Source Pollution Control Program, developed by the State Water Resources Control Board and the CCC, received full approval from the EPA and NOAA in 2000. The plan provides an outline for nonpoint source pollution management measures.

The CCC has the authority to review federal activities in the coastal zone to ensure consistency with California's coastal zone management program. The CCC also addresses water quality issues through additional programs including:

- A. Water Quality Unit, which provides technical assistance to district offices and statewide nonpoint source pollution coordination;
- B. Local coastal programs;
- C. Interagency Coordination Committee;
- D. Critical coastal areas:
- E. Model Urban Runoff Program;
- F. Contaminated Sediments Task Force;
- G. Snapshot Day; and
- H. First Flush.

California Coastal Act, Cal. Pub. Res. Code §30000 et seq.

The California Coastal Act (CCA) defines the "coastal zone" as the area of the state that extends three miles seaward and generally about 1,000 yards (910 meters) inland. The CCA mandates protections for terrestrial and marine habitat through its policies on visual resources, land development, agriculture, commercial fisheries, industrial uses, water quality, offshore oil and gas development, transportation, power plants, ports, and public works. The CCC administers various programs, including local coastal programs and the Water Quality Program, which facilitates the interagency Nonpoint Source Pollution Control Program. Almost all development within the coastal zone, which contains many wetlands, requires a coastal development permit from either the CCC or a local government with a certified local coastal program.

California State Lands Commission (SLC)

The California State Lands Commission (SLC) has jurisdiction over all of California's tidal and submerged lands and over the beds of naturally navigable rivers and lakes, each of which are sovereign lands, swamp, and overflow lands, and school lands (proprietary lands). Management responsibilities of the SLC extend to activities within submerged land and those within three nautical miles of shore.

The SLC administers land including the beds of all waterways of the state below the ordinary high water mark, as well as tidelands (located between the mean high and low tide lines) and submerged lands (located below the mean low tide line and extending three nautical miles seaward). These sovereign state lands are held by the state "in trust" for the benefit of the public.

California Department of Boating and Waterways (DBW)

The California Department of Boating and Waterways (DBW) programs are designed to fulfill the needs of California's boating community, including funding for local waterway law enforcement programs, assisting in beach erosion control projects, licensing yacht and ship brokers, and funding the development of public access boating facility projects. The DBW also provides grants to cities, counties, and districts for developing small craft harbors/marinas, and loans to private recreational marinas.

California State Parks

The California Public Resources Code provides for California Department of Parks and Recreation's (California State Parks') control of the state park system, including management of submerged archaeological and historical resources within state park units.

The department may manage state marine reserves, state marine parks, state marine conservation areas, state marine cultural preservation areas, and state marine recreational management areas. Department authority over units within the state park system shall extend to units of the State Marine Managed Areas system that are managed by the department.

The California State Parks regulations are found in the California Code of Regulations, Title 14, Natural Resources, §§ 4300-4971. Several of the regulations pertain to historic or cultural resources.

California Department of Parks and Recreation

California Department of Parks and Recreation manages 280 park units, including over 280 miles of coastline. Responsible for almost one-third of California's scenic coastline, California State Parks manages the state's finest coastal wetlands, estuaries, beaches, and dune systems.

Oil Pollution Control Act, 33 U.S.C. § 2701 et seq.

The Oil Pollution Control Act of 1990 requires extensive planning for oil spills from tank vessels and onshore and offshore facilities and places strict liability on parties responsible for oil spills. See Impacts from Vessel Spills Action Plan for more information.

Act to Prevent Pollution from Ships, 33 U.S.C. § 1901 et seq.

The discharge of solid wastes is regulated under the Act to Prevent Pollution from Ships (APPS). The APPS regulates the disposal of plastics and garbage for the United States Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL73/78). Under these regulations, the disposal of plastics is prohibited in all waters, and other garbage, including paper, glass, rags, metal, and similar materials, is prohibited within 22 km (12 nm; 14 miles) from shore (unless macerated).

Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601-9675

The Comprehensive Environmental Response, Compensation, and Liability Act addresses cleanup of hazardous substances and mandates liability for environmental cleanup on those whose actions cause release into the environment. In conjunction with the CWA, it requires preparation of a National Contingency Plan for responding to oil or the release of hazardous substances.

Resource Conservation and Recovery Act, 42 U.S.C §§ 6901-6992K

The Resource Conservation and Recovery Act addresses hazardous waste management, establishing duties and responsibilities for hazardous waste generators, transporters, handlers, and disposers.

California Health and Safety Code §115880 et seq.

California has established minimum standards for the sanitation of public beaches, including: (1) requiring the testing of the waters adjacent to all public beaches for microbiological contaminants; (2) establishing protective minimum standards for total coliform, fecal coliform, and enterococci bacteria, or for other microbiological indicators; and (3) requiring that the waters adjacent to public beaches are tested for total coliform, fecal coliform, and enterococci bacteria, or for other microbiological indicators if appropriate. Since 2012, testing on beaches that are visited by more than 50,000 people annually and are located on an area adjacent to a storm drain that flows in the summer is required on a weekly basis from April 1 to October 31, inclusive, of each year.

California Ballast Water Regulations, CCR, Title 2, Division 3, Chapter 1, Article 4.6 et seq.

The master, operator, or person in charge of vessels arriving at a California port or place carrying ballast water from another port or place within the Pacific Coast must employ at least one of the following ballast water management practices: (1) exchange the vessel's ballast water in near-coastal waters (more than 50 nm from land and at least 657 feet deep) before entering the waters of the state, if that ballast water has been taken on in a port or place within the Pacific Coast region; (2) retain all ballast water on board the vessel; (3) use an alternative, environmentally sound method of ballast water management that, before the vessel begins the voyage, has been approved by the SLC or the USCG as being at least as effective as exchange, using mid-ocean waters, in removing or killing non-indigenous species; (4) discharge the ballast water to a reception facility approved by the commission; or (5) under extraordinary circumstances where compliance with the four options above is not practicable, perform a

ballast water exchange within an area agreed to by the SLC in consultation with the USCG. "Pacific Coast Region" is defined in Article 4.6 as all estuarine and ocean waters within 200 nm of land or less than 2,000 meters (6,560 feet, 1,093 fathoms) deep, and rivers, lakes, or other water bodies navigably connected to the ocean on the Pacific Coast of North America east of 154 degrees west longitude and north of 25 degrees north latitude, exclusive of the Gulf of California.

California Clean Coast Act, Cal. Pub. Res. Code §72400 et seq.

The California Clean Coast Act, which became effective on January 1, 2006, prohibits the release from large passenger vessels (cruise ships) and other oceangoing ships (300 gross tons or more) of hazardous waste, oily bilge water, other waste, and sewage sludge into the marine waters of the state and marine sanctuaries and sets up notification protocols for release of these substances into state waters or waters of a national marine sanctuary. The Clean Coast Act also prohibits the release of greywater (wastewater that comes from sinks, washing machines, bathtubs, showers, etc.) from cruise ships and oceangoing ships with sufficient holding capacity into the marine waters of the state. Furthermore, the Clean Coast Act requires the State Water Resources Control Board to request the appropriate federal agencies to prohibit the release of wastes from cruise ships and oceangoing ships into state marine waters and the national marine sanctuaries in California. The act is more stringent than federal regulation of cruise ships and also provides the strongest state protections from cruise ship pollution in the United States.

Appendix C – Management Plan/Condition Report Connections

This section identifies the linkages between the various action plan activities and the <u>2015</u> <u>MBNMS condition report partial update</u> findings for water, habitat, living resources, and maritime archaeological resources in estuarine, nearshore, offshore, and Davidson Seamount study areas.

The table cross references actions plan linkages and the current state of the particular study area in relation to a series of questions. The development of these strategies and activities are in direct relationship to the areas of need identified in the report.

Status:

Good Good/Fair Fair Fair/Poor Poor Undet.

Trends:

- ▲ Conditions appear to be improving
- Conditions do not appear to be changing
- **▼** Conditions appear to be declining
- ? Undetermined trend

N/A Question not applicable

Reference numbers:

▲ Superscript numbers refer to the issue number in the category the activity is linked to.

Water	Habitat	Living Resources	Maritime Archaeological Resources
1. Stressors	5. Abundance/ Distribution	9. Biodiversity	15. Integrity
2. Eutrophic Condition	6. Biologically Structured	11.* Non-Indigenous Species Status	16. Threat to Environment
3. Human Health	7. Contaminants	12. Key Species Status	17. Human Activities
4. Human Activities	8. Human Impacts	13. Key Species Condition	
		14. Human Activities	

^{*}There is no number 10 in the 2015 condition report update

Environment Type		Estu	arine			Near	shore			Offs	hore		Da	vidson	Seamo	unt
	Water	Habitat	Living Resources	Maritime Archeological Resources	Water	Habitat	Living Resources	Maritime Archeological Resources	Water	Habitat	Living Resources	Maritime Archeological Resources	Water	Habitat	Living Resources	Maritime Archeological Resources
ISSUE BASED ACTIO	N PLAN	IS														
CLIMATE CHANGE																
Strategy CC-3: Comm	nunicate	ocean-	climate	impacts	and so	lutions										
Activity CC-3.3									▼2							
COASTAL EROSION	& SEDII	NENT M	ANAGE	MENT												
Strategy 1: Track prog	gress o	n coasta	al sedim	ent man	agemer	nt plans	for MBI	NMS								
Activity CESM-1.3		_5				▼5										
Strategy 2: Collaborat	te on la	nd mana	agemen	t plan fo	r CEME	X site		1		I					1	I
Activity CESM-2.1						▼5										
Strategy 3: Implement	t site-sp	ecific b	each no	ourishme	ent prog	rams					<u> </u>			<u> </u>	1	
Activity CESM-3.1		_5				▼5										
Activity CESM-3.2		_5				▼5										
Activity CESM-3.3		_ 5				▼5										
Strategy 4: Safeguard	I MBNM	S from o	contami	nated di	edge di	sposal	<u> </u>	1		<u>I</u>	<u> </u>	<u>I</u>	<u> </u>	<u> </u>	<u>I</u>	<u>I</u>

Environment Type				·e	O	ffshore	D	Davidson Seamount				
Activity CESM-4.2	▼7		▼7									
Strategy 5: Reduce coas	tal armoring	<u>'</u>		 	!	1	<u>'</u>		-			
Activity CESM-5.2	_ 5		▼5									
Strategy 6: Reduce impa	cts to sanctuary re	sources due to	landslides a	nd subsequ	uent emergen	cy response	s	<u> </u>	I			
Activity CESM-6.3	_ 5		▼5									
DAVIDSON SEAMOUNT							I					
Strategy DS-1: Conduct	site characterizatio	n										
Activity DS-1.1									▲ ¹²			
Activity DS-1.2									▲ 12			
Activity DS-1.4									? 14			
Activity DS-1.5								? 7				
Strategy DS-2: Conduct	ecological process	es investigatio	ns		<u> </u>							
Activity DS-2.2									▲ 12			
Activity DS-2.3									▲ 12			
Activity DS-2.4									▲ 12			
INTRODUCED SPECIES												
Strategy IS-1: Manage pa	athways and promo	te prevention										
Activity IS-1.1	- 11			11		_11			_11			
Strategy IS-2: Promote e	early detection and	rapid response	<u> </u>									
Activity IS-2.1	_11	· ·		11		_11			_11			

Environment Type	Estuarine	Nearshore	Offshore	Davidson Seamount
Activity IS-2.2	_11	▼11	_11	_11
Strategy IS-3: Implement	eradication or control			
Activity IS-3.1	_11	▼11	_11	_11
Activity IS-3.2	_11	▼11	_11	_11
Activity IS-3.3	_11	▼11	_11	_11
Strategy IS-5: Implement	restoration			
Activity IS-5.1	_9	_ 9	_ 9	? 9
Activity IS-5.2	_ 9	_9	_9	? 9
MARINE DEBRIS				
Strategy MD 1: Assess so	cope and scale of marine	debris		
Activity MD-1.1		▼5	▲5	
Activity MD-1.3		▼5	▲ ⁵	
Strategy MD 2: Foster pu	blic participation and sup	pport policies leading to reduced	marine debris focused on pla	stic pollution
Activity MD-2.3		▼5	▲ ⁵	
Strategy MD 3: Reduce m	parine debris threats by re	emoving the debris and preventing	g point source inputs	
Activity MD-3.1		? 8	▲ ⁸	
Activity MD-3.5		▼5	▲ ⁵	
WATER QUALITY				

Strategy WQ-1: Facilitate and coordinate regional efforts to improve water quality through the Water Quality Protection Program Committee (and MOA), Agriculture Water Quality Alliance, stormwater programs, and Integrated Regional Water Management programs

Environment Type		Estuarine		Nearsh	ore		Offs	hore		Da	vidson	Seamo	unt
Activity WQ-1.1	? ³		A ⁴										
Activity WQ-1.2	? ³	? 14	A ⁴		▼14	A ⁴							
Activity WQ-1.4	? 3		▲ ⁴		▼14								
Activity WQ-1.5	? ³		▲ ⁴										
Activity WQ-1.6	? 3	? 14	▲ ⁴		▼14								
Activity WQ-1.8			▲ ⁴			4							
Strategy WQ-2: Unde	erstand th	ne land-sea co	nnection					1					
Activity WQ-2.1	? ³	▲ ⁸ ? ¹⁴	▲ ⁴	▼									
Activity WQ-2.2	? ³	? 14	▲ ⁴		▼14	4							
Activity WQ-2.3	? ³	? 14	▲ ⁴		▼14	A 4							
Activity WQ-2.4			▲ ⁴			A 4							
Activity WQ-2.5			▲4			A 4							
Strategy WQ-3: Quar	ntify effec	tiveness of m	anagement prac	tices				1					
Activity WQ-3.1	? 3	? 14	▲ ⁴		▼14								
Activity WQ-3.2	? ³	? 14	▲ ⁴		▼14								
Activity WQ-3.3	? 3	? ¹⁴	▲ ⁴		▼14								
Strategy WQ-4: Moni	tor and re	educe polluta	nt loads flowing	into MBNI	VIS	I	1	1	<u>l</u>	<u>l</u>	<u> </u>		1
Activity WQ-4.1			A 4										
Activity WQ-4.2			▲ ⁴										
Activity WQ-4.4	? 3	? 14	▲ ⁴		▼14	4							

Environment Type	E	stuarine	N	learshore		Offshore		Davidson	Seamount
Strategy WQ-5: Pron	note public e	ngagement and	stewardship th	rough citizen	science mon	itoring progran	ns and other	er WQPP effo	orts
Activity WQ-5.1	? 3		4						
Activity WQ-5.2			4						
Activity WQ-5.3	? 3	? 14	A 4	▼ 14					
Activity WQ-5.4			A 4		▲ ⁴				
Strategy WQ-6: Com	municate fin	dings of project	ts and monitori	ng conducted	by the WQPP)			
Activity WQ-6.1	? 3		A ⁴						
Activity WQ-6.2			A ⁴		A ⁴				
Activity WQ-6.3	? 3		A ⁴						
Activity WQ-6.4	? 3		A ⁴						
Activity WQ-6.5	? 3		A ⁴						
Activity WQ-6.6			A ⁴						
Activity WQ-6.7			A ⁴		▲ ⁴				
WILDLIFE DISTURB	ANCE						<u> </u>		<u> </u>
Strategy WD-1: Mitig	ate wildlife d	listurbance fron	n marine vesse	s and shore-b	ased activitie	es			
Activity WD-1.1		? 14		▼14		14			
Activity WD-1.2		? ¹⁴		▼ 14		14			
Activity WD-1.3		? 14		▼ 14					
Activity WD-1.4						14			
Activity WD-1.5		? 14		▼14		14			

	onment Type Estuarine			Nearsh	ore		Offs	hore	Davidson Seamount				
Activity WD-1.6					▼ 14			14					
Activity WD-1.8								14					
Activity WD-1.10					▼14								
Strategy WD-2: Mitigate	wildlife disturb	ance from	aircraft									<u> </u>	
Activity WD-2.2		? ¹⁴			▼14			14					
Activity WD-2.3		? 14			▼14								
Activity WD-2.4					▼14								
Strategy WD-3: Develop	acoustic basel	ine profile	s within M	BNMS								<u> </u>	
Activity WD-3.2					▼ 14			14			? ¹⁴		
Strategy WD-4: Reduce	underwater low	r-frequency	y mechani	cal sound	emissio	ons							
	underwater low	r-frequency	y mechani	cal sound	emissic	ons		14					
Activity WD-4.1	underwater low	r-frequenc	y mechani	cal sound		ons		14 14			? 14		
Strategy WD-4: Reduce Activity WD-4.1 Activity WD-4.2 Activity WD-4.3	underwater low	r-frequenc	y mechani	cal sound	▼14	ons					? 14		
Activity WD-4.1 Activity WD-4.2					▼ 14 ▼ 14 ▼ 14	ons		14			? 14		
Activity WD-4.1 Activity WD-4.2 Activity WD-4.3	ninistrative met				▼ 14 ▼ 14 ▼ 14	ons		14			? 14		
Activity WD-4.1 Activity WD-4.2 Activity WD-4.3 Strategy WD-5: Use adm	ninistrative met	hods to red	duce wildli	ife disturb	▼14 ▼14 ▼14 ▼14 ▼14			14			? 14		
Activity WD-4.1 Activity WD-4.2 Activity WD-4.3 Strategy WD-5: Use adm Activity WD-5.2	ninistrative met	hods to red	duce wildli	ife disturb	▼14 ▼14 ▼14 ▼14 ▼14			14			? 14		
Activity WD-4.1 Activity WD-4.2 Activity WD-4.3 Strategy WD-5: Use adn Activity WD-5.2 Strategy WD-6: Use law	ninistrative met	hods to received	duce wildli	ife disturb	▼ ¹⁴ ▼ ¹⁴ ▼ance ▼ ¹⁴ turbance			14			? 14		

Environment Type		Estu	arine			Near	shore			Offs	hore	Davidson Seamount				
Activity WD-7.1							▼ 14									
Activity WD-7.3							▼ 14				_ 14					
Activity WD-7.4							▼ 14				_ 14				? 14	
Strategy WD-8: Resp	ond to w	ıldlife e	ntangle	d in fish	ing gea	ır										
Activity WD-8.2							▼ 14				_14					
PROGRAM BASED A	ACTION F	PLANS											<u> </u>			
MARITIME HERITAG	E															
Strategy MH-1: Inver	ntory and	assess	subme	rged sit	es											
Activity MH-1.1				? ¹⁵				? ¹⁵				? ¹⁵				
Activity MH-1.2				? ¹⁵				? ¹⁵				? ¹⁵				
Activity MH-1.4				? ¹⁵				? ¹⁵				? ¹⁵				
Strategy MH-2: Threa	at assess	ment fo	r shipw	recks a	nd subr	nerged s	structur	es								
Activity MH-2.1				_16				▼ 16				▼ 16				
Activity MH-2.2				_16				▼ 16				▼ 16				
Strategy MH-3: Prote	ect and m	l lanage s	ubmer	ged arch	naeolog	ical reso	ources									
Activity MH-3.1				_17				? ¹⁷				? ¹⁷				
Activity MH-3.3				_16				▼ 16				▼ 16				
RESEARCH & MONI	TORING					1								<u> </u>	1	
Strategy RM-1: Char	acterize I	oiologic	al and p	ohysical	feature	s in MBI	NMS									
Activity RM-1.1	? 3	8	▲ ¹²		▼1	▼5			▼1	▼7			? ¹	5		1

Environment Type		Estu	arine			Near	shore			Offs	hore		Davidson Seamount					
Activity RM-1.2									▼1	▼7	_14							
Strategy RM-2: Maint	tain and	expand	the San	ctuary I	ntegrate	d Moni	toring Ne	etwork (SIMoN)		l			1	1			
Activity RM-2.1	? 3	A 8	▲ 12		▼1	▼5	▼ 14		▼1	▼7	_ 14		? 1	_5	_13			
Strategy RM-3: Supp	ort scier	nce focu	sed on	priority	sanctua	ry need	ls	<u>l</u>										
Activity RM-3.1	? 3	▲ ⁸	▲ 12		▼1	▼5	▼ 14		▼1	▼7	_ 14		? ¹	_5	_13			
Activity RM-3.3													? 1	_ 5	_13			
Activity RM-3.4	? ³	▲ ⁸	▲ 12			▼5	▼ 14		▼1	▼7	_ 14		? 1	_ 5	_13			
Activity RM-3.5						▼5	▼ 14			▼7	_ 14		? 1	_ 5	_13			
Activity RM-3.6		▲ 8	▲ 12			▼5	▼ 14			▼7	_ 14							
Activity RM-3.7						▼5	▼ 14		▼1	▼7	_ 14							
Activity RM-3.8						▼5	▼ 14											
Activity RM-3.9		▲ 8	▲ ¹²			▼5	▼ 14			▼7	_ 14		? 1	_5	_13			
Strategy RM-4: Facili	itate the	flow of	science	informa	ation am	ong aca	ademic ir	nstitutio	ns, gov	ernmen	nt agenc	ies, an	d other i	nstitutio	ons			
Activity RM-4.4		& 8	▲ 12			▼5	▼ 14											
Strategy RM-5: Interp	oret sele	ct techn	ical sci	ence inf	ormatio	n												
Activity RM-5.2									▼1	▼7	_14							
RESOURCE PROTEC	CTION																	
Strategy RP-1: Conti		•	•		_		ınities fo	r protec	ting sa	nctuary	wildlife	, habit	ats, qual	ities, an	d cultur	al		
resources through c	ollaborat	tive plar	nning an	nd mana	gement													
Activity RP-1.1						? ⁸	▼ 14			A 4	_14			_5	? 9			

Environment Type			Near	shore		Offs	hore		Davidson Seamount							
Activity RP-1.2						? ⁸	▼ 14			▲ ⁴	_14			_ 5	? 9	
Activity RP-1.3	4	▲ ⁸	? ¹⁴		A ⁴	? 8	▼ 14	? ¹⁷	4	A ⁴	_14	? ¹⁷	? 4	? ⁸	? 14	N/A
Activity RP-1.4											_14					
Activity RP-1.5						? 8										
Strategy RP-3: Mainta	ain and e	enhance	permit	ting and	l enviro	nmental	review	progran	n .					<u> </u>		
Activity RP-3.1	4	▲8			A ⁴	? 8				A 4	_8					
Activity RP-3.2	▲ ⁴	▲ 8			A 4	? 8				A 4	_8					
Activity RP-3.4	▲ ⁴	▲8			▲ ⁴	? ⁸				▲ ⁴	_8					
Activity RP-3.6	▲ ⁴	▲ 8			▲ ⁴	? ⁸				▲ ⁴	_8					
Strategy RP-5: Imple	ment enf	orceme	nt prog	rams												
Activity RP-5.1		▲8	? 14			? ⁸	▼ 14			4	_ 14					
Activity RP-5.5					▲ ⁴					▲ ⁴						
Strategy RP-7: Coord	linate res	source	 protecti	on prog	rams, in	cluding	interpr	etive en	l forceme	ent and	citizen s	cience	progran	ns		
Activity RP-7.1	▼ 1		? 14		▼1		▼ 14									
Strategy RP-9: Devel	op and i	l mpleme	nt resto	ration a	nd reco	very pla	ans to ac	ddress h	l nabitat c	l lamages	and er	l Idanger	ed spec	ies		
Activity RP-9.2							▼ 12									