

**GULF OF THE FARALLONES AND MONTEREY BAY NATIONAL MARINE  
SANCTUARY  
JOINT ADVISORY COUNCIL**

**FINAL  
February 12, 2009  
Our Lady of the Pillar Church  
Half Moon Bay, CA**

The Gulf of the Farallones (GFNMS) and Monterey Bay (MBNMS) National Marine Sanctuary Advisory Councils met on Friday, February 12, 2009, in Half Moon Bay, California. Public categories and government agencies for MBNMS were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Mat Fuzie-Absent
AMBAG: Stephany Aguilar	Conservation: Kaitilin Gaffney
At Large: Margaret Webb	Diving: Randy Herz
At Large: Michael Dawson	Education: Shauna Potocky
At Large: Deborah Streeter-Absent	Commercial Fishing: Kathy Fosmark
Business & Industry: Cindy Walter	Ports & Harbors: Linda McIntyre-Absent
CA Coastal Commission: Tami Grove-Absent	Recreation: Gary Pezzi
CA Dept. of Fish & Game: Paul Reilly-Absent	Recreational Fishing: Howard Egan-Absent
CA EPA: Russ Jeffries-Absent	Research: Chris Harrold
CA Resources Agency: Brian Baird-Absent	Tourism: Michael Bekker

The following non-voting MBNMS members were present as indicated:

Monterey Bay NMS: Paul Michel  
US Coast Guard: LTJG Brittany Steward  
Gulf of the Farallones NMS: Maria Brown  
Gulf of the Farallones NMS: Brian Johnson

MBNMS Alternates present:

Rexford Keyes – Recreation  
Kortney Leabourne - At Large  
Robert Frischmuth – At Large  
Tim Frahm – Agriculture  
Samuel Hale – Business & Industry  
Karen Grimmer – Monterey Bay NMS

Public categories and government agencies for GFNMS were present as indicated:

At-Large Marin/Sonoma: Dominique Richard	Dept. of Interior, NPS: Brian O'Neill
At-Large SF/San Mateo: Brenda Donald	Education: Bob Breen
CA EPA: Secretary Linda Adams – Absent	Maritime Activities/Commercial: Barbara Emley
CA Resources Agency: Brian Baird – Absent	Maritime Activities/Recreational: Mick Menigoz – Absent
Conservation: Bob Wilson – Absent	Research: John Largier
Conservation: Richard Charter	

The following non-voting GFNMS members were present as indicated:

Monterey Bay NMS: Paul Michel  
 US Coast Guard: LTJG Brittany Steward  
 Gulf of the Farallones NMS: Maria Brown  
 Gulf of the Farallones NMS: Brian Johnson

GFNMS Alternates present:

At-Large SF/San Mateo: Pat Conroy  
 Conservation: Bruce Bowser  
 Education: Dorris Welch  
 Dept. of Interior, NPS: Chris Powell  
 Maritime Activities/Commercial: Peter Grenell (?)  
 Maritime Activities/Recreational: Mark Gorelnick

## **I. CALL TO ORDER, WELCOME, INTRODUCTIONS**

John Muller, Mayor of Half Moon Bay, welcomed the two advisory councils to Half Moon Bay.

Advisory council members introduced themselves by stating their name and seat on their advisory council.

Advisory council members approved the agenda with no changes.

## **II. UPDATE: MAVERICK'S SURF CONTEST**

Brad Damitz, Resource Protection Specialist/Gulf of the Farallones National Marine Sanctuary (GFNMS), provided an update on the Mavericks Surf Contest. He stated this contest is a great example of collaboration across sanctuaries and many different agencies that are involved. Fitzgerald Marine Reserve is a place of biological significance and at Mavericks Beach, a 0.7ft tide or lower the reef becomes exposed. In 2006 tidepool trampling occurred, but they have a solution to this now and this area will be barricaded if a low tide occurs. GFNMS also has an education booth in a strategic location that is provided by Maverick's Surf Ventures. There is a new enforcement team and it has been integrated into the incident action plan for the event. Brad and Bob Yerna are the direct contacts with law enforcement officers. There will be two NOAA

enforcement officers, one land and one vessel. There will also be Cal Fish and Game officers and U.S. Coast Guard presence.

Brenda Donald, GFNMS At-Large SF/San Mateo, stated the zone is only open through February, but the contest runs through March 31<sup>st</sup> when the zone should be closed. Brad responded we work with Maverick's Surf Ventures to provide a permit. The contest is paddle in but they do use motorized personal watercrafts for safety, photos, etc. They would have a one-day permit effective throughout the season.

Chris Harrold, MBNMS chair, inquired about whether or not there were baselines for the wildlife counts. Brad responded there are baseline counts prior to and after the event.

Gary Pezzi, MBNMS Recreation, inquired about the one-day tow in permit in zone five. Will there be an exception for that one-day to have tow in not for the contest? Brad responded that tow in surfing is allowed on days with high surf advisories. Maria Brown, Superintendent /GFNMS, also commented that GFNMS has the Beach Watch Program that goes out every four weeks to monitor wildlife and has 15 years of data. They also took sea otter data from the United States Geological Survey and took grey whale counts, mapped out those areas and noticed there were very small windows where animals considered important were not seen. That is how the three-month window came about. We were able to accommodate surfers and our mission of resource protection. Gary also asked if is there a cost associated with the permit and how many permits are issued? Maria responded that the harbor district issues one permit per surf contest. We are working on that model. The Coast Guard also needs to issue a permit. We will then take that permit into consideration. There is an application, and we will have special conditions. There is no permit required during high surf warnings.

### **III. UPDATE: NOAA OFFICE FOR LAW ENFORCEMENT**

Dayna Matthews, NOAA Office for Law Enforcement, provided an update on the law enforcement working group. The group is working on a strategic plan. From the beginning they have been talking about the word "shared". All partners recognize this is not an effort of the sanctuaries to say, "come help us." It is an effort to organize all law enforcement agencies coming together in a mutually beneficial partnership. Community policing is a strong focus of this group with education and outreach being a big component of that. Resource law enforcement agencies are usually pretty short in education and outreach specialists. Bringing those resources together is part of what we are talking about with this shared collaboration. We anticipate coming together in April to review a product, approve that product and we will have more issues we will need to work through. We will use this plan as a guiding document for our operational planning. We will meet every other month in coordination with MBNMS advisory council meetings. Dayna stressed the group recognizes they have not addressed all the issues within the northern management area, but will take this process and expand it out to the GFNMS. The group will be conducting that over the next couple months as well. Scott Kathey and Mike Eng from MBNMS have been asked to help with facilitation again. It is our hope this regional planning process that has been initiated here will become part of this national strategy document and will serve as a template for bottom up strategy development at a regional level.

Kathy Fosmark, MBNMS Commercial Fishing, asked Dayna to elaborate on community policing. He explained it has been adopted throughout the U.S. in the last 30 years. It is an effort by enforcement agencies to work with communities to solve problems.

#### **IV. UPDATE: SEABIRD PROTECTION NETWORK**

Karen Reyna, Acting Resource Protection Coordinator/GFNMS, provided an update on the Seabird Protection Network. For the past year they have been working with messaging and marketing and a communication staff to find a target audience. This gives the program a brand identity. She announced there would be a booth setup at lunch for members to see the type of messaging they are doing. There are many different agencies involved in the program. The program targets three main sources of disturbance: low flying aircraft; close approaching boats, kayaks, and personal watercraft; and humans on foot. They put together an action plan and they are in the third year of six currently. They focus on education and outreach and enforcement, while the U.S. Fish and Wildlife Service works on monitoring. The program has a Technical Advisory Committee that meets on an annual basis. There are two working groups: Education and Outreach, and Enforcement and Coordinated Management. The program has expanded in the last several years. One particular success in 2007-2008 was linking monitoring data provided by partners with the need for additional protection at particular sites. We worked through the Marine Life Protection Act process to find these sites. Another project we have been working on is with the Federal Aviation Administration (FAA). Our regulations are not on FAA charts so we have difficulty with pilots knowing our overflight restriction areas exist. We are working on better language that will help with compliance of our regulations. There are over 340 overflights reported, with 96% resulting in wildlife disturbance. One of the main things we do is outreach towards pilots. There are 286 pilots that get our info. We developed a flight guide, which fits into the California Pilot Guide to Airports. We do outreach at air shows, as well as give presentations to clubs and associations.

#### **V. PUBLIC COMMENT**

Shiva Polefka, The Environmental Defense Center, based in Santa Barbara, provided the following comments:

He is a member of the Channel Islands National Marine Sanctuary (CINMS) Conservation Working Group and providing comments here on ocean acidification. He expressed gratitude and support for the joint councils taking up this issue and potentially taking action. The statement that can be sent is quite powerful. The CINMS Conservation Working Group in collaboration with the Commercial Fishing Working Group took up this issue about a year and half ago, which culminated in a report and copies are available here. It tries to get a handle on what the potential ocean acidification impacts for CINMS would be. The findings are the impacts could be profound and there is an immediate need for action. There are an array of actions that can be taken which led to a suite of working group recommendations that conclude report: research, monitor, educate, and lead. It was unanimously adopted by the CINMS advisory council. It calls for a coordinated regional approach to monitoring, greater funding from NOAA, working to minimize emissions operationally, and reducing emissions of stakeholders and the community as well. He encourages the councils to take action and formalize this concern, and he offers his support and assistance in any way that would be helpful.

Tim Duff, Surfrider, provided the following public comments:

He would like to comment on the law enforcement update. He is thrilled there will be greater enforcement, but there is no certification or permit program in place currently. The community here anticipates there will be a greater number of jet skis entering the 5<sup>th</sup> zone. It is very important to have enforcement presence as there is an adjacent marine reserve and a resident harbor seal colony. Enforcement presence during the first high surf warnings is needed at least. How will the tow-in community learn when they can go out other than through NOAA? He would like to offer his support to work with the local harbor district to provide volunteer presence, e.g. raising a flag during high surf advisories.

Bonny Van Hise, Congressman Sam Farr's office, provided public comment on the following congressional activities:

Currently:

- Reorganizing the House Ocean Caucus, which provides members of the House of Representatives with timely information regarding ocean issues. Rep. Farr is a founding Co-Chair.

Mr. Farr is sponsoring:

- HR21 has been reintroduced and already has 32 co-sponsors. This bill passed through committee markup last year and has been reintroduced in the same form. The bill is comprised of four sections and implements the priority recommendations of the Pew Ocean Commission and the US Commission on Ocean Policy, as follows: 1) establishes a national ocean policy, a national ocean policy advisor and a national ocean committee, 2) codifies as law the existence of NOAA, 3) establishes regional organizations to facilitate regional ocean governance and 4) creates a permanent ocean conservation trust fund. HR21 has been sent to the Natural Resources Committee and is awaiting a markup.
- HR556, The Southern Sea Otter Recovery and Research Act, has been introduced and sent to committee. Once passed, it will advance urgent research and recovery activities identified in the Southern Sea Otter Recovery Plan and will permit better investigation and mitigation of the threats to the southern sea otter recovery.
- HR366, The Ocean Research Exploration Enhancement Act, will establish the national ocean exploration program and the national undersea research program within NOAA. This bill has also been referred to committee.

Mr. Farr is cosponsoring:

- HCR32, Expressing the sense of Congress that the 40th anniversary of the oil spill off the coast of Santa Barbara, California, should be remembered as an ecological and economic disaster that triggered major environmental legislation and helped launch the modern environmental movement, and for other purposes.
- HJR18, Providing for congressional disapproval of the rule submitted by the Department of the Interior and the Department of Commerce under chapter 8 of title 5, United States Code, relating to interagency cooperation under the Endangered Species Act (ESA) of 1973. The Bush administration changed the rules for when an agency needed to consult with the U.S. Fish and Wildlife Service (USFWS) regarding a proposed action's effect under the ESA and made it easier for agencies to act without first consulting the USFWS. HJR18 seeks to nullify that new regulation under the Congressional Review Act which allows nullification within 60 days of promulgation. Mr. Farr is an original cosponsor.

- HR81, The Shark Conservation Act of 2009
- HR223, The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act
- HR365, The Ocean and Coastal Mapping Integration Act
- HR367, The Integrated Coastal and Ocean Observation System Act
- HR368, The Coastal and Estuarine Land Conservation Program Act
- HR860, The Coral Reef Conservation Act Reauthorization and Enhancement Amendments of 2009

Mr. Farr is involved with:

- The Clean Cruise Ship Act
- The Sea Turtle Protection Act
- CZMA Reauthorization Act

In the Senate:

- S22, Omnibus Public Land Management Act of 2009 - Authorizes specified programs and activities in the Department of the Interior and the Department of Agriculture

## **VI. UPDATE: MBNMS MARINE PROTECTED AREAS**

Paul Michel, Superintendent/MBNMS, provided an update on the Marine Protected Area (MPA) planning process. He stated he was encouraged by the feedback he received from partners; following NOAA policy on how to coordinate and talk with our NOAA partners. The MPA process is based on scientific input, public input, partners and the MPA Working Group and Science Advisory Panel. We plan to establish the working group and science panel by this summer. He stated he was asking the MPA Subcommittee to wrap-up by the April advisory council meeting. In April we will be rolling out a proposed road map for the process. He emphasized that MPA's do not necessarily mean reserves or no take areas. We are also looking at areas already in place. He stated he would be happy to come to GFNMS advisory council meetings to provide regular updates.

Kirk Schmidt, MBNMS Agriculture, commented that he is not certain about the relation between MPAs and the National Marine Sanctuaries Act. He stated he did not know how this was to proceed. It is nice that the subcommittee will be wrapping up, but there have been no people designated for any position at this time. He stated he was baffled by an ecosystem fishery management plan. He commented the previous MPA working group worked on Año Nuevo south to Cambria. This is the idea this subcommittee had going into this. Our partners look at a much broader area. That is yet to be determined and will be rolled out in April without a road map.

Barbara Emley, GFNMS Maritime Activities, commented that if this process extends into the northern management area then she hopes there is the intention of talking about MPAs with the GFNMS advisory council.

Kaitilin Gaffney, MBNMS Conservation, stated that she hopes the new road map has a minimum speed limit associated with it. She is glad to hear there will be a new focus. However, it is important that this time we mean it, we have a clear timeline and we are going to follow it. She

commented that we would need to talk about how we are going to engage the public in this again.

## **VII: UPDATE: EDUCATION**

Carol Preston, GFNMS Education Coordinator, provided a presentation on visitor centers and exhibits in the GFNMS and northern management area. Carol stated the exhibits in Bodega targets researchers, Point Reyes targets the outdoors, San Francisco targets institutions and tourists from a far and includes Crissy Field, Cal Academy of Sciences, Pigeon Pt. Lighthouse is a maritime exhibit, Pacifica has an information center, Monterey has an information center, and there is a Sam Simeon visitor center. GFNMS recently trained 500 docents in a "sanctuary 101 class." We just hired a coordinator to develop an intertidal docent program. We will do some monitoring and there will be a docent presence in the field. The docents also interact with the public at the Cal Academy exhibit. We are working on a 4-year concept plan with Fitzgerald for a small visitor center. There will be a three-section art piece, with sections people can walk through. This will be in the parking lot area, but the exact location is being debated now. For the Half Moon Bay visitor center Carol has met with Bob Breen and wants to enlist the help of the councils. This visitor center could have natural history exhibits as well as a classroom used by chefs, artisans, etc. and a water concierge. There is a need for an economic engine for sustainable communities in San Mateo County. We want to think outside the box for this visitor center. We would like to convene a working group with Bob Breen, Chris Powell, Pat Conroy, and Brenda Donald.

PJ Webb, MBNMS At-large, provided suggestions such as an information kiosk and revolving artifacts from members of the community.

Dorris Welch, GFNMS Education, asked what has been done in regards to surveying local community members for the new Half Moon Bay visitor center? Also is there a financial plan? Carol stated the community engagement is what staff and council members are about to start. They are looking at four working group meetings with the entire community invited to the first and fourth meetings. There is funding for the development stage, the concept and plan, and some existing infrastructure (the Half Moon Bay office).

Brian O'Neill, Dept. of Interior, NPS, stated a land manager group meets on a regular basis and a consistent theme is the need for a joint visitor center to bring the estuarine and marine together with the terrestrial. This may lend more to a sustainable operational model.

Kaitilin Gaffney asked if signage at Fitzgerald will include MLPA messaging? Carol replied this has come up at several meetings. There is a short timeline through that must be completed by December. She is not sure if the maps will be ready by then, but we have two placeholders for future signs that can be added.

Chris Harrold asked do you have any exit surveys, lessons learned? Carol replied yes at varying levels. Cal Academy has the most information and we also have informal surveys from our Crissy Field visitor center.

Barbara Emley, GFNMS Maritime Activities/Commercial, stated the working group representatives should include commercial fishing or a harbor. Carol replied, yes we want fishermen, boaters, business people etc.

Bob Breen, GFNMS Education, made a request to establish a working group for the Half Moon Bay visitor center.

**Motion: (passed)**

Motion introduced by Bob Breen (GFNMS), seconded by Brenda Donald (GFNMS)  
(Vote: 23 in favor, 0 opposed)

Lisa Uttal, MBNMS Visitor Center Project Manager, provided an update on the MBNMS Exploration Center, which will be located in Santa Cruz. The presentation included the concepts, plans, and exhibit videos for the visitor center.

Dorris Welch asked is there going to be live animals? How is funding going? Lisa replied, yes in the tide pool and we will be teaching etiquette. There will also be salt water tanks in the classrooms. NOAA has committed to \$8.5 of the \$16 million project. The MBNMS foundation is raising money. We are close with facilities dollars and optimistic that we will get the remaining funding.

Kirk Schmidt stated the initial display focused on the sanctuary as pristine, but this should not actually be the goal. There are multiple uses. What will you do to explain these? Lisa replied the exhibits will show this through video and displays (fishing boat, squid net, car and surf board, etc.). Visitors will walk out knowing humans are a part of the sanctuary.

Brenda Donald stated the mayor spoke of debris this morning. This is a good opportunity to talk about improving on marine debris at the Boardwalk. Lisa replied we have this message in three different places.

**VIII: JMPR UPDATE REGARDING GOVERNOR'S OBJECTION LETTER ON INTRODUCED SPECIES RULE**

Paul Michel provided background on the introduced species rule and the governor's objection letter. Richard Charter, GFNMS Chair, provided a letter he drafted as a possible response to the governor's letter. Chris Harrold commented that the most frightening thing about the governor's letter was the sentence, "All non native species are detrimental." Chris supports Richard's letter and suggested maybe highlighting species that have invaded temperate waters. Kaitilin Gaffney also stated she was in support of Richard's letter.

A motion was made to add the MBNMS advisory council to the letter.

**Motion: (passed)**

Motion introduced by Mark Gorelnik (GFNMS), seconded by Chris Harrold (MBNMS)



(Vote: 23 in favor, 0 opposed, 1 abstention)

Afterwards, Chris Powell, GFNMS Department of the Interior, and Stephanie Aguilar, MBNMS Association of Monterey Bay Area Governments, suggested adding “arbitration and consultation” to the letter. For the perception of the public we need to have some way for the public to understand how this actually came about.

Richard Charter suggested adding “through a formal consultation process” after the word “collaboratively “ in the last paragraph.

**Motion: (passed)**

Motion introduced by Richard Charter (GFNMS), seconded by Brenda Donald (GFNMS)  
(Vote: 23 in favor, 0 opposed, 1 abstention)

A vote was taken to send the joint letter drafted by Richard to Governor Schwarzenegger.

**Motion: (passed)**

Motion introduced by Margaret Webb (MBNMS), seconded by Kirk Schmidt (MBNMS)  
(Vote: 23 in favor, 0 opposed, 1 abstention)

**IX. LUNCH**

**X. UPDATE: WEST COAST REGIONAL UPDATE**

Bill Douros, West Coast Regional Director, stated the regional office works to facilitate items that have implications for multiple sites and provided an update on the accomplishments of the West Coast Regional Office, including: the NOAA Twin Otter; improving our working relationship with NMFS; vessel acquisition and management; acting on behalf of west coast region sites for additional facilities funds.

Michael Dawson, MBNMS At-Large, asked how is the new Secretary of Commerce going to affect us? Bill replied he is not sure how to gauge this, but he does know oceans. He has been a sponsor of ocean projects in the past, but is conservative fiscally. Dr. Jane Lubchenco will be the first marine biologist to run NOAA. She was named in record time, and has been on Monterey Bay Aquarium and MBARI boards. She has been very involved in central coast ocean issues.

**XI. EDUCATIONAL PRESENTATION: OCEAN ACIDIFICATION**

Dr. Richard Feely, Program Leader/NOAA Pacific Marine Environmental Library, provided a presentation on ocean acidification. He stated for any level we chose to stabilize emissions at, we will remain at that level for 100s of years. This is the same for pH, and it would be thousands of years before we are back to pre industrial levels. A 0.1 drop in pH = 30% increase in acidity of the oceans. In Alaska and Antarctica the corrosive waters are closer to the surface. In the Pacific, the aragonite and calcite saturation state is very shallow, and with upwelling the corrosive waters

are being pushed up to the shelf. In 2007 they surveyed a series of stations along 13 lines from British Columbia to Baja California. Some of these lines were in sanctuaries. The data showed that corrosive waters were being upwelled to the coast. His lab is developing a proxy to determine corrosive water using pressure, temperature, salinity, and dissolved oxygen. They have done this with data sets off of Oregon. Associated with each extinction event over history was an ocean acidification event. We are currently moving at a rate of acidification that is much faster than any of these other times.

Brenda Donald asked if he has coordinated data with the U.S. EPA? Dr. Feely replied all the past pH measurements are not of high enough quality.

Stephany Aguilar asked is there a mechanism to measure the difference between atmospheric CO<sub>2</sub> and volcanic CO<sub>2</sub>? Dr. Feely replied yes, there is a different isotopic signature and 1/100 of the amount of CO<sub>2</sub> in the atmosphere is volcanic.

Barbara Emley asked if we should be concerned now during upwelling times? Will it be a more corrosive environment? Dr. Feely replied, we need to be cautious about this. We only know specific pieces of information. If pteropod shells dissolve do they die? Does that then affect salmon populations? We need to study more. The corrosive waters represent a CO<sub>2</sub> signal from 50 years ago, and have half the amount of CO<sub>2</sub> that waters have now and there will be twice as much 50 years from now. We need to figure out what it was 50 years ago.

Michael Dawson stated the global maps looked as though CO<sub>2</sub> was static. Why is this? Dr. Feely replied because simplistic, low resolution models are applied here.

Paul Michel commented that ocean acidification is a serious issue. There is just a small fraction of the community who hears this. Maybe we need to reconsider what we are working on. Maybe this could be a message for a visitor center. What is our regional approach to this issue? Dr. Feely responded by saying it is his personal opinion that sanctuaries should come together and work along our coast. We all are faced with this problem. He'd like to see NOAA scientists working with sanctuaries on this. The educational programs in sanctuaries are by far some of the best NOAA has.

A discussion ensued regarding the sanctuary's role in ocean acidification.

Kaitilin Gaffney stated the MBNMS Conservation Working Group discussed the CINMS report and we will be bringing our recommendations to the MBNMS advisory council at the April meeting. We would like to have a joint resolution on this issue though and we have drafted a sentence:

The GFNMS and MBNMS advisory councils jointly recognize ocean acidification as a significant threat to the long-term conservation of sanctuary resources and qualities warranting additional NOAA research, monitoring, education and outreach, and management action to reduce and mitigate its impacts.

Gary Pezzi suggesting adding conservation and health of...

Maria Brown asked what about coordinating across the sites?

Richard Charter stated we can adopt the original language and jointly recommend sites request the west coast region have a leadership role in coordinating ocean acidification monitoring across the regional sites in partnership with NOAA's Pacific Marine Environmental Lab.

Brenda Donald stated the region's role should be to get this information out to the public and sanctuary constituents.

After council discussion, the resolution was revised with the proposed changes and two new sentences were added:

The Gulf of the Farallones and Monterey Bay National Marine Sanctuary Advisory Councils recommend that the West Coast Regional Office take a leadership role in coordinating ocean acidification monitoring with the Pacific Marine Environmental Laboratory, other research laboratories, and other interested parties.

The Gulf of the Farallones and Monterey Bay National Marine Sanctuary Advisory Councils recommend a coordinated approach to ocean acidification issues amongst all five west coast sanctuaries.

A vote was taken to approve the joint resolution and forward it to the West Coast Regional office.

**Motion: (passed)**

Motion introduced by Kirk Schmidt (MBNMS), seconded by Gary Pezzi (MBNMS)  
(Vote: 22 in favor, 0 opposed)

**XII: PUBLIC COMMENT**

Jackie Dragon, Pacific Environment, provided the following comments:

She was previously with Seaflow and continues to work on issues of oceans noise and global shipping. She thanked everyone for all of their work and would like them to consider taking up the issues of global shipping. Her campaign looks at the multiple threats of shipping. They would like to propose slowing ship speeds down, and would like the councils to consider a working group to look into this.

Duncan McLean, PFMC Salmon Advisory Subpanel and President of the Half Moon Bay Fishermen's Marketing Association, provided the following comments:

Ocean acidification is real and serious but we shouldn't rapidly pass regulations and rules that could cause more problems. We have a lot of information that is not all organized and understood yet. He also found out the GFNMS advisory council just passed a policy statement that they were going to support open ocean aquaculture. This is serious for California. The PFMC hasn't taken this on yet. Hobbs has filed for a permit to grow stripped bass 5 miles

offshore in San Diego in an area that would cover the size of 30 football fields. This is a hazard to navigation, and it will spread toxins and poisons at unregulated amounts.

### **XIII. EDUCATIONAL PRESENTATION: OCEAN ENERGY PROJECT ALONG THE CENTRAL CALIFORNIA COAST**

David White, NOAA, National Marine Fisheries Service (NMFS), Hydraulic Engineer, provided a presentation on current ocean energy projects along the California coastline. He coordinates the comment letters NOAA has filed, and as a result, has worked with many of the sanctuaries. As background, he stated a preliminary permit gives the authority to perform technological and site feasibility studies, it does not authorize construction. All preliminary permits were issued in 2008 and have a 3-year lifespan. The City of San Francisco is proposing a project off of Ocean Beach; it is not in sanctuary waters. Last week Finavera withdrew their application for the Humboldt project, some of the other existing projects do propose the same technology through (AquaBuoy). To deal with collision potential, NMSF is trying to make sure entanglement and collision response plans are part of these projects. PG&E wants to build infrastructure along the coast to plug into. NMFS position on all of these projects has been to file a motion of intervention that keeps NMFS as part of the process should it go forward. Golden Gate Energy proposed a tidal energy project in San Francisco Bay with 30-50 ft diameter counter rotating blades. They applied for a pilot project license, but NMFS wrote a strong letter in response to this recommending against licensing in an area with migratory and endangered species. A pilot project must be located in an area that is not “sensitive,” and a permit can’t be issued to a project that has not engaged in significant consultation with the resources agencies and we had not received a phone call. The license was not issued but they were given time to compile the information needed for a sufficient draft application. We have not received the permit application for Gray’s Harbor in San Francisco. The deadline for filing comments has passed. NMFS/ONMS wrote a joint letter recommending not to award the permit. Gray’s Harbor equipment could also serve as a place for wind turbines and the proposed transmission line would cut through MBNMS with the units themselves within GFNMS. It is currently not clear whether FERC or Minerals Management Service (MMS) has jurisdiction to issue the permits. FERC is issuing permits and MMS is filing letters of protest to these permits.

Kathy Fosmark stated the PFMC is watching these as they will encroach on fishing areas as well as critical habitat. It takes funding for this process of intervention. The councils should continue to discuss this issue.

Richard Charter stated with offshore oil drilling, sanctuaries may be all that is left. This project with Gray’s Harbor is now the model or prototype for how sanctuaries will treat these types of projects.

Randy stated in the draft resolution, we should only list what we have problems with.

Rex asked if one of these generators could have less impact at the end of a pier? The resolution should not say all equipment can’t be in a sanctuary. Dave replied this technology is being proposed. Richard Charter stated a device at the end of a pier or jetty was proposed about 30

years ago, but the energy density available from natural systems is not as concentrated as hydrocarbon or nuclear.

Kathy Fosmark stated the NMFS/ONMS letter does have some fisheries reference and we need to take proactive role in supporting this letter.

Chris Powell asked for copies of maps given in the presentation. Comparing a pilot project in the sanctuary versus outside of the sanctuary, she proposes those be set outside of the sanctuary.

Richard Charter, commented that there are plenty of places being looked at. Do we need these next to a vessel traffic lane, inside a sanctuary? It seems we either have a sanctuary or we don't. If we open to this, what's next? If they had done their homework they probably wouldn't have submitted their application.

Gary Pezzi asked what if these flotation energy devices could be way offshore, out of traffic lanes and fishing areas? Could they house energy in a ship with a huge battery that then brings it to shore?

Mike Dawson, MBNMS At-Large, commented that for these to be inside one sanctuary and wiring through another is wrong. If we don't say no to this where are we as an advisory council?

A joint resolution stating national marine sanctuary waters are not appropriate locations to experiment with industrial energy production projects was brought to the council for discussion. After some rewording of the resolution, the advisory councils passed a motion to adopt the resolution with changes.

**Motion: (passed)**

Motion introduced by Richard Charter (GFNMS), seconded by Kaitilin Gaffney (MBNMS)  
**(Vote: 22 in favor, 0 opposed)**

**XIV. MEMBER ANNOUNCEMENTS**

Kaitilin Gaffney announced that the whale disentanglement program has a toll free number to report whale disentanglements. The number is 877-SOS-WHALE.

Shauna Potocky, MBNMS Education, provided an update on the last Sanctuary Education Panel meeting. She also announced she has accepted a position as Branch Chief of Education at Yosemite National Park. She will be leaving soon for work and graduate school.

PJ Webb stated she is sending a letter as an individual to Dan Basta to consider sanctuary staff as important priorities. She encouraged others to send a letter in the next two weeks and said she will give a copy of her letter if anyone wanted a template.

Richard Charter announced there is no Outer Continental Shelf moratorium as of October 1st of last year. There will be one public hearing on the west coast. This is a matter of great interest to everyone at this table.

Dorris Welch announced there was a talk in Santa Cruz that evening at the University of California at Santa Cruz by the leader of Green for All regarding the social justice movement.

Kirk Schmidt highlighted the new Agriculture Water Quality Alliance brochure. The brochure highlights partnerships between organizations and farmers. Farmers have finally started to put in a lot more projects after recovering from food safety.

Gary Pezzi announced that the Monterey City Council has banned the use of polystyrene. He thanked MBNMS staff for presenting at the city council meeting and supporting the motion. He commented that a volunteer came up with an idea for after holidays to have a drop off point to collect polystyrene. The site gathered 6,000 cubic feet of polystyrene in two days. There are only two places you can recycle polystyrene, but they only take type 6.

John Largier announced the surface current mapping project in sanctuaries is ending due to the state budget. Also, the CAERS meeting is March 17-18 at Bodega Marine Lab.

Kathy Fosmark announced the next Pacific Fishery Management Council meeting will be in Seattle on March 7-13.

Maria Brown thanked everyone for a very productive meeting.

## **XV. ADJOURN**

The meeting adjourned at 4:11 p.m.  
Submitted by Nicole Capps and Kelley Higgason