

Monterey Bay National Marine Sanctuary Advisory Council

October 13, 2023

Emergency Meeting Minutes

VOTING MEMBERS

Agriculture: Sarah Lopez
At-Large: Jenny McAdams
At-Large: Dan Haifley
At-Large: Gwen Kellas (Alternate)
Business/Industry: Tom Rowley
Commercial Fishing: absent
Conservation: Rachel Kippen
Diving: Keith Rootsart
Education: Pamela Neeb Wade
Recreation: Tony Elliot
Recreational Fishing: Adam Helm
Research: Brandon Southall
Tourism: absent

AMBAG: Scott Funk (Alternate)
CA Coastal Commission: absent
CA Department of Fish and Wildlife: Paul Reilly
CA Environmental Protection Agency: Peter Von
Langen (Alternate)
CA Resources Agency: absent
CA State Parks: absent
Harbors: Brian Nelson

NON-VOTING MEMBERS

College: absent
Greater Farallones & Cordell Bank
NMS: absent
US Coast Guard: absent

Monterey Bay NMS: Lisa Wooninck
Channel Islands NMS: absent
Elkhorn Slough NERR Dan Brumbaugh (Alternate)
National Marine Fisheries Service: absent

ALTERNATES PRESENT

Rebecca Cenicerros – At Large
Monica Lal – Business/Industry
Jennifer Abbott – Conservation
Nicholas Wilson – Recreation
Steven Haddock – Research

Dawn Hayes – Monterey Bay NMS

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I. CALL TO ORDER

Welcome to the Sanctuary Exploration Center
Roll Call

II. INFORMATION ITEM: CHUMASH HERITAGE NATIONAL MARINE SANCTUARY DRAFT DESIGNATION DOCUMENTS

Paul Michel, Regional Policy Coordinator at NOAA Sanctuaries West Coast Region, shared a presentation on the draft proposed rule and agency's preferred alternative boundary for the proposed Chumash Heritage National Marine Sanctuary (CHNMS). Highlights included:

Michel outlined the history of a proposed national marine sanctuary in Central California, beginning in the 1980s when the State of CA and the County of San Luis Obispo proposed a new national marine sanctuary off Morro Bay and northern SB County. In November 2021, Office of National Marine Sanctuaries (ONMS) initiated designation for a new sanctuary.

Michel described the steps of the sanctuary designation process. A final decision to designate and publish final designation documents is targeted for mid 2024.

Within the draft designation documents sent out to the MBNMS AC before this emergency meeting, there is a Notice of Proposed Rulemaking (Proposed Rule), a Draft Management Plan, and a Draft Environmental Impact Statement (EIS).

The Proposed Rule announces the proposal to designate and provides notification of availability of draft EIS and draft management plan. The boundary NOAA has proposed to designate has changed throughout the designation process for three reasons: 1) focus management on core areas and resources requiring conservation; 2) construction impacts from laying up to 30 subsea electrical transmission cables between wind leases and Morro Bay may be too substantial to allow in a national marine sanctuary; and 3) avoids substantial issues raised by Salinan Tribal bands regarding naming their shared historical areas "Chumash" (from approx. Morro Bay north).

The Draft Management Plan contains 11 action plans. It includes a framework for Tribal Collaborative Management in detail, including the multiple benefits from this high level of collaboration in managing the new sanctuary.

The EIS evaluated how implementing the proposed sanctuary boundaries, regulations, and management plan could affect the environment and human uses. It selected an agency preferred alternative for the boundary and found that there would be no significant adverse impacts and significant, long-term, beneficial impacts.

If there is a decision made to complete the designation, NOAA will complete a number of steps: review and develop responses to comments; revise and finalize regulations; non-regulatory plans (management plan); name for the sanctuary; boundaries for sanctuary; produce the final rule, final management plan, and final EIS; and finalize agency consultations. Congress will have the

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opportunity to review the designation, and the Governor will also have the opportunity to review and concur with the state waters portions of the final rule.

Paul Michel then opened the meeting to questions and comments on his presentation.

Gwen Kellas, At Large alternate, asked why this designation's agency preferred alternative accounts for wind energy infrastructure now and not in the future. A: Wind energy infrastructure construction likely will not happen for 20 years. Lisa Wooninck, MBNMS, stated that NOAA and Bureau of Ocean Energy Management (BOEM) are moving forward together with this designation under the Biden Administration because it is not guaranteed to happen under another administration. We need to figure out what we can live with now.

Tom Rowley, Business and Industry seat, proposed the possibility of closing the gap in the future.

Brandon Southall, Research seat, spent time on the East Coast watching offshore wind cables be installed. Although it looks like a wide area for the cables, it is not just the cables, as there are additional infrastructure needs. Southall stated that this is an area with high sensitivity, high site fidelity species, and there are some critically endangered species in this area. There is potential for high priority mitigation research.

Keith Rootsart, Diving seat, stated that in the prohibited uses area of the draft documents it didn't say anything about wind development in CHNMS. Michel said that there are two flavors of prohibition, no permits at all or permitting allowable if environmental analysis reveals that the practice would not be detrimental.

Dan Haifley asked if when the plan is approved, could there be a provision providing for future NOAA action to extend MBNMS south or CHNMS north overlaying cables already laid. Or perhaps a special use permit for maintenance? Michel responded that yes, NOAA has the authority to do so. The gap can be made part of the sanctuary once the short term negative impacts are addressed.

Tom Rowley asked who is going to control this gap, the state or the federal government? Michel responded that BOEM would control it.

III. PUBLIC COMMENT

PJ Webb stated that she represents northern Chumash tribal members. She stated that the initial boundaries supported by the Northern Chumash Tribal Band are superior. No other proposed alternative is equivalent. Local communities have been left out of this decision.

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IV. ACTION ITEM: Letter of Support for CHNMS Draft Management Plan

The AC then wordsmithed a draft letter of support for the CHNMS proposed designation, followed by a vote to accept the draft and send the letter as a public comment to NOAA. See Appendix I.

Motion to approve letter Tom Rowley, seconded with Tony Elliot

Yes: 11 Abstain: 3 No:0

V. MEETING ADJOURNED AT 11:00AM

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APPENDIX I: Letter of Support for CHNMS Draft Management Plan

Young Members
Kymberly Jacobs
Education
Chair
Adam Helm
Recreational fishing
Vice-Chair
Jacob Lopez
Agriculture
Sociology
Jenny McAdams
A-1000
Dan Hickey
A-1000
Steve Allen
A-1000
Tom Rowley
Business/Industry
Lorly Tomat
Commercial fishing
Rachel Lippin
Conservation
Brandon Southall
Research
Alicia Fetter
Educat
Lizette Brown
A-1000
Dan Carl
CA Coastal Commission
Paul Kelly
CA Dept of Fish and Wildlife
Jason Adams
CA FFA
Jenn Heston
CA Resource Agency
Dan Hobb
CA State Parks
John Haynes
Hobbies
Non-Young Members
Cindy March
College
Jill Andrew Island
33 Coast Guard
Steven Indry
Marine/Marine Activities
Dave Hill
Hobon Slough 4111
Chris Mobley
Channel Islands 4413
Alisa Brown
Geology/Geology/Coastal
Bart 4413
Paul Michel
Morro Bay 4413

Sanctuary Advisory Council
Monterey Bay National Marine Sanctuary
99 Pacific Street, Building 455
Monterey, CA 93940
(831) 647-4201

October 13, 2023

Dear Dr. Wooninck,

As Chair of the Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council, I am writing to communicate our support of the proposed Chumash Heritage National Marine Sanctuary (CHNMS) during the National Oceanic and Atmospheric Administration's (NOAA) public comment period on its draft management plan, regulations, and environmental review.

Chumash Heritage National Marine Sanctuary would be the fifth national marine sanctuary off California and sixth off the continental west coast. Its designation would further complete a chain of protection, through national marine sanctuaries, for a region from Point Arena in Mendocino County, south to a portion of the Santa Barbara Channel. It would fulfill national marine sanctuary program goals by providing many environmental protections, and by facilitating ocean research, outreach, and education. It would also support maritime heritage goals by protecting sacred Indigenous cultural sites in the region.

We are excited by NOAA's proposed management collaboration with the federally recognized Santa Ynez Band of Chumash Indians, to fulfill the objectives of the national marine sanctuary program. We also support opportunities for all Tribal organizations and governments, including non-federally recognized Tribes, in the region to have opportunities to collaborate in management of the sanctuary, to take advantage of the extensive knowledge and talent that is available to further the goals of research, resource protection, and outreach and education in the proposed sanctuary. Education and outreach programs conducted by the new sanctuary can help facilitate dissemination of Indigenous knowledge and stewardship methods.

We are also supportive of the proposed strategy to collaborate on solution-focused watershed activities in urban, agricultural, and rural landscapes to promote healthy conditions for human and aquatic resources. This strategy includes expanding/extending the Agriculture Water Quality Alliance from MBNMS, to establish a voluntary program to protect water quality and maintain productivity of farmlands in watersheds draining to CHNMS.

National Oceanic and Atmospheric Administration's national marine sanctuary system provides site-specific ocean management to protect biodiversity. Chumash Heritage National Marine Sanctuary under NOAA's preferred agency alternative would include 5,617 square miles of waters off 134 miles of coastline between Hazard Canyon Reef to the north, and state waters along the entire coast of Gaviota State Park to the south. It would include Rodriguez Seamount, Arguello Canyon, Arguello Terrace, and Santa Lucia Bank. Persistent upwelling driven by these

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Voting Members

Pamela Neeb Wade,
Education
Chair

Adam Helm,
Recreational Fishing
Vice-Chair

Sarah Lopez,
Agriculture
Secretary

Jenny McAdams,
At-Large

Dan Hatley
At-Large

Steve Allen
At-Large

Tom Rowley
Business/Industry

Kathy Forman
Commercial Fishing

Rachel Kippen
Conservation

Brandon Southal
Research

Mike Bekker
Tourism

Kristen Brown
AMBAG

Dan Carl
CA Coastal Commission

Paul Kelly
CA Dept of Fish and Wildlife

Karen Mogus
CA EPA

Jenn Eckert
CA Resources Agency

Dan Falat
CA State Parks

John Haynes
Harbors

Non-Voting Members

Cindy Matuch
College

LtJG Andrew Ireland
US Coast Guard

Steven Lindley
National Marine Fisheries

Dave Feliz
Elkhorn Slough NERR

Chris Wobley
Channel Islands NMS

Maria Brown
Greater Farallones/Cordell
Bank NMS

Paul Michel
Monterey Bay NMS

features, as well as the complex nature of the California Current in this region, feeds wildlife that migrate through the other west coast national marine sanctuaries. Chumash Heritage National Marine Sanctuary would help to preserve the area's rich food web in the face of many significant anthropogenic impacts. We support providing, in addition to the NOAA preferred agency alternative, marine sanctuary protection from the southern boundary of Monterey Bay National Marine Sanctuary to Hazard Canyon Reef ("the gap"). Until such time, we encourage monitoring, research, and protection for vulnerable species by the appropriate agencies in "the gap" area. We believe that the electric transmission cables from the offshore wind leases could fall under the permitting authority of the sanctuary, and that sanctuary status would provide protection for this area from other threats, including offshore oil development.

The ocean provides food, moderation of global temperature, absorption of excess greenhouse gases, and the production of half of earth's oxygen, and it's a large piece in the puzzle of how we monitor and learn about climate change. The proposed sanctuary is well suited as a laboratory for understanding climate change and building resilience through national marine sanctuary ecosystem-based management, in concert with Indigenous knowledge and methodologies.

We believe that Chumash Heritage National Marine Sanctuary would fulfill national marine sanctuary program goals by promoting resource protection, research, and education and education and outreach, in an area that richly deserves it.

Thank you very much for considering our views.

Sincerely,

Pamela A Neeb Wade

Pamela Neeb Wade

Chair

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