



**GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY (GFNMS)  
ADVISORY COUNCIL MEETING**

Pacifica Community Center  
540 Crespi Drive  
Pacifica, CA 94044  
9:00 a.m. – 3:45 p.m.  
Friday, April 18, 2008

Note: The following meeting notes are an account of discussions at the Sanctuary Advisory Council meeting and do not necessarily reflect the opinion or position of the Gulf of the Farallones National Marine Sanctuary or the National Oceanic and Atmospheric Administration.

**CALL TO ORDER, ROLL CALL, REVIEW AGENDA**

Advisory Council Chair, Richard Charter, called the meeting to order at 9:12 am.

**Roll Call**

Barbara Emley	Maritime Activities/Commercial
Bob Breen	Education
Bob Wilson	Conservation
Brenda Donald	At-large/San Francisco and San Mateo
Bruce Bowser	Conservation Alternate
Captain David Swatland	United States Coast Guard
Chris Powell	National Park Service Alternate
Dominique Richard	At-large/Sonoma and Marin
Jonathan Stern	Research Alternate
Pat Conroy	At-large/San Francisco and San Mateo Alternate
Peter Grenell	Maritime Activities/Commercial Alternate
Richard Charter	Chair/Conservation

**Gulf of the Farallones National Marine Sanctuary Staff**

Maria Brown	Sanctuary Superintendent
Irina Kogan	Ecosystem Protection Specialist
Karen Reyna	Ecosystem Protection Specialist
Kelley Higgason	Sanctuary Advisory Council and SCPP Coordinator
Sage Tezak	Bolinas Lagoon Restoration Coordinator
Sarah Ratzesberger	SCPP Outreach Specialist and Administrative Support

***Copies to/Absent:***

Amy Boone	California Resources Agency Alternate
Bill Douros	NMSP West Coast Regional Office
Brian Baird	California Resources Agency
Brian O'Neill	National Park Service
Dan Howard	Cordell Bank National Marine Sanctuary
Dorris Welch	Education Alternate



- Dominique Richard, At-large/Sonoma and Marin, reported that the Tomales Bay Vessel Management Plan is getting underway. The new Beach Watch training class will graduate in June, adding 25 more volunteers.
- Capt. David Swatland, United States Coast Guard, reported he will be relocating to Hawaii at the end of June. He introduced LTJG Brittany Steward, and he has been working with her to determine the appropriate level of Coast Guard involvement with sanctuary advisory councils throughout the State. They will consistently and appropriately continue to provide representation, but he does not know who the designee will be yet. For the *Cosco Busan* oil spill, Unified Command is still on Treasure Island. They plan for sign-offs to be done by May 17<sup>th</sup>. They are trying to meet everyone's expectations and get beaches clean according to all expectations. Cota pleaded not guilty to federal charges, but there will be criminal charges also. There is a San Francisco Bay Area committee working on a contingency plan. We will implement the lessons learned (volunteer management, utilizing the most up to date technology, etc.). Capt. Swatland gave the sanctuary a report on the new booming that is available. The sanctuary should look into this and hold the Responsible Party accountable for using the latest technology despite the cost. The advisory council could help to make this happen. The Harbor Safety Committee, along with the Coast Guard and bar pilots has published new guidelines for vessel movement in bad weather. Five vessels were scheduled to go that day and four did not go. Feinstein just put forth a bill, but it may be more problematic to implement. Regulations and procedures exist to avoid having this happen, more regulation is not needed. We can't make the Coast Guard like air traffic control. The state of California is investigating state response efforts. Some Coast Guard testified before the National Transportation Board. Three reports were issued. Some things need to be fixed, but things went as per the contingency plan. There were some communication issues, some with the Coast Guard and some with the state. In general everyone did a good job and cleaned up 40% of the oil.
- Capt. David Swatland continued to state that public hearings on offshore weapons areas will be later this spring. They are going ahead with this but HR 1187 will change the dynamics of this issue. Capt. Swatland also stated that with the lack of salmon season there could be an increase in poaching. The Coast Guard will work with Cal Fish and Game. Someone was cited last month in Southern California for fishing in a marine reserve at Channel Islands. Capt. Swatland also stated that another sailing vessel sank, this happened during a regatta from the Bay to the Farallon Islands. Two lives were lost, one body was found. The conditions were bad, but the sponsors are responsible for calling the event. We have reached out to the yacht racing association to reach out to their folks more. If the boat had an emergency beacon it didn't go off. It was very windy that day. The potato patch was breaking at 16-18ft. They did find the deck and mast as the deck had sheared off. They did not hit any buoys and there were no signs of impact. They are unsure of the cause.

**Discussion:**

- Richard Charter thanked Capt. Swatland for his service on the advisory council. It has been helpful to have a coherent and friendly voice during the spill.
- Barbara Emley agreed Capt. Swatland has been very forthcoming and it has been a pleasure to work with him.

- Capt. Swatland stated this was a great group to work with, and everyone needs to keep pushing forward.
- Brenda Donald stated she appreciated his efforts to find a replacement.

### **Member Reports Cont.**

- Peter Grenell, Maritime Activities/Commercial Alternate, reported that due to no salmon season, they anticipate large losses in revenue at Pillar Point Harbor. He fears if there is not relief soon enough, people will leave the industry and won't be back. There are long-term implications for consumptive use questions. The dredge issue is attracting a lot of interest on the coast. The Harbor District is celebrating its 75<sup>th</sup> anniversary. There will be an event on August 16<sup>th</sup> at Pillar Point Harbor. The sanctuary would be welcome to have a presence. They are talking about having an event just before the start of crab season, reminiscent to the blessing of the fleet. The council may remember that the Vanderberg Air Force Station came out with a proposal to relocate its storm outfall discharge from the ocean side of Fitzgerald to the bay at Pillar Point. It now looks like it will be "alls well that ends well." They are willing to work with everyone, and the treated storm water may be able to be used for wetland enhancement at Pillar Point marsh. There will be follow-up by the air force, but they will no longer be putting it in the ocean. They were found to be in violation by the State Water Resource Board.
- Bruce Bowser, Conservation Alternate, will defer his report until Bolinas Lagoon is discussed.
- Bob Wilson, Conservation, reported that harbor seal pupping season has begun. There was an unusual event where ten pups washed up dead at Drakes Estero and Fitzgerald Marine Reserve. These numbers haven't been seen before. Construction at the Marine Mammal Center is going well. There is a Blue Ribbon Task Force meeting next week to consider three proposals. The Executive Director of FMSA resigned. He has been acting as the interim Executive Director.
- Jonathan Stern, Research Alternate, reported he is working on a new project in Gulf of the Farallones studying Minke Whales. He just bought a boat from a fisherman that had given up on fishing. It is a 22 ft Boston Whaler and he has been going out as much as possible. The sanctuary can come out and help monitor if interested. There are more blue whales than Minkes along coast. They are isolated in small pods. There are maybe 15-20 in Gulf of the Farallones. He will be identifying individuals and counting. He will also be looking at top down effects on local resources and interaction with other top predators. They are hard to tag because their blubber is very thin. His boat has sonar, so he will also look at fish distribution from Point Reyes down to Pillar Point.
- Richard Charter, Conservation, reported that Congresswoman Pelosi attended a meeting at the federal building to discuss the *Cosco Busan* oil spill. She is determined to change federal law to have more effective prevention. There are six pieces of state legislation also. The basic trend is outer coast enhanced protection (booming). Sonoma Water Agency applied for a wave energy permit for all waters between shore and 12 miles out. FERC denied the permit application. It is not clear why it was denied. A week prior, FERC had denied requests for late intervener status, but that same week they approved PG&E's permit. They are not sympathetic to local input. This now leaves the area open for Chevron, PG&E, Greenwave, etc. Sonoma would have had a working group that included stakeholders. They may re-apply.

HR1187 passed the House and it will be taken up in the Senate. If someone applies for a wave permit that includes existing sanctuary waters, FERC would probably not issue it immediately. If it was issued prior to HR1187, it could be a problem. The application would be grandfathered in. Regulations for the new area have not been written. Those will be done through a management plan review process.

**Discussion:**

- Maria Brown stated the present GFNMS regulations would apply to the expansion area, but we would develop a management plan within three years. If they had an existing permit it would be grandfather in. If they had a preliminary permit they would have to submit for certification, and we would have the opportunity to say whether or not they could move forward.
- Richard Charter, stated there could be no seabed disturbance.
- Maria answered, also no discharge. You can't leave floating buoys in the sanctuary without a sanctuary permit.
- Barbara Emley stated that wave energy areas are another piece of the ocean that fishermen can't go in if they are there.
- Chris Powell stated we don't hear about a lot of this. All the Washington reporters are tied up with the campaign. Chris thanked Richard for his reports.

**Seabird Colony Protection Program Enforcement and Coordinated Management Working Group Report**

Bob Wilson, Conservation

The first meeting was held in March. A large representation of resource managers and enforcement attended including: California Department of Fish and Game, Point Reyes National Seashore, U.S. Coast Guard, NOAA National Marine Fisheries Service, Don Edwards San Francisco Bay National Wildlife Refuge, Monterey Bay National Marine Sanctuary, Golden Gate National Recreation Area, California State Parks, California Coastal Commission, California Boating and Waterways, PRBO Conservation Science. The group recognized that human disturbance is a problem, and we should be coordinating. The program will beta test an incident reporting form. The next meeting will focus on how to uniformly collect data and refer people to the appropriate agencies. The sanctuary gets "koodos" for putting this together.

**Superintendent's Report**

Maria Brown, Sanctuary Superintendent, handed out the GFNMS Superintendent's Report (January-February, 2008) as well as reported on the following:

Maria thanked Capt. Swatland and stated that his participation has been appreciated. Having this relationship with the Coast Guard is invaluable. We have had good interactions, and they have helped with enforcement. She is glad he is looking for a replacement, but it will be hard to fill Capt. Swatland's shoes.

Maria also recognized Web Otis, who has resigned from the council due to health issues, and Erin Montgomery, who is having a baby and also resigned. We will announce the two vacant alternate seats. Cards were passed around and signed by the members.

### ***Cosco Busan Update***

The sanctuary is working on both sides of the oil spill, response and Natural Resource Damage Assessment (NRDA). The response side is working with Unified Command consulting on cleanup end points. Maria participates in beach sign offs. There is still some staining, but overall no oil on the beaches and rocks. They have not signed off Tennessee Cove because more oil can be removed. At Rodeo Beach kids are still getting oiled. The National Park Service and the sanctuary requested a closure, because oil was coming up from underneath. The sanctuary is happy with the cleanup. They are still using Beach Watch data for clean up end points as well as NRDA (i.e. what are normal die off numbers, what is normal tar ball deposition and beachwrack, etc.). The LiMPETS program did intertidal collections of mussels, with samples sent off last week. The program also monitored for sand crabs, as they bioaccumulate toxins. A correlation can't be established at this time but sand crab populations have crashed. They are critical to the food web. We participated in two public meeting on how restoration plans are developed. Examples of how restoration funds have been used in the past include: the Seabird Colony Protection Program, the Duxbury Reef trampling program, LiMPETS, and the Common Murre Restoration Project. We are no longer doing Safe Seas at Olympic Coast NMS due to funding. We will be participating in a Coast Guard drill. We are on the Places of Refuge working group for the Coast Guard. "Places of refuge" refer to areas a boat can go in an emergency. We are helping to evaluate what resources are in those areas? There was a tar ball event that was determined to be the Monterey Formation coming up from Point Conception. We are anticipating to be done with *Cosco Busan* response by June 2008. For the vessel spills working group, we are looking for a detail to fill in for Irina, but we may wait six months before starting this working group. We are interested in the Council's input on places of refuge and best available technology.

### **Discussion**

- Barbara Emley stated that young dungenous crabs are susceptible to toxins. We are also concerned about the juveniles.
- Chris Powell stated that in regard to the murrees on Devil's Slide, Cal Trans just completed their biological assessment of the area. Once it is closed off, people will be walking on the edge which could have a significant impact on the population. All of the land management agencies have been meeting about this, and we are now working with Cal Trans to possibly put up barriers, requiring pedestrians to stay in east bound lane.

### **Ocean Climate Summit Update**

The summit will be held on April 29<sup>th</sup>, 2008. We have had a good participant response, and excellent speakers are lined up. A breakout group sign up sheet for council members was distributed and Kelley will email the breakout groups to everyone.

### **Budget**

We did receive the FY08 budget last month. The sanctuary program was level funded. One benefit to the program is that we received \$3 million in earmarks two years ago. This year we had \$3 million in discretionary funds. Because of the council's letter to Dan, we did receive \$20,000 to keep on a part time council coordinator. We also received some funds for escalating costs, rents, etc. Facilities received funds to continue with the new campus. There was also an

earmark from Senator Feinstein to develop signage for the Fitzgerald Visitors Center. The budget is better than last year but still not great.

### **Vessel Discharge SDEIS**

The Coastal Commission wanted the cruise ship discharge regulation to be consistent with the state regulations. We put out a supplemental DEIS expanding that regulation to cover cargo ships.

#### **Discussion**

- Brenda Donald asked if cruise ships have marine sanitation devices? Do cargo ships?
- Maria Brown answered, cruise ships have MSDs, cargo ships have holding tanks.
- Capt. Swatland stated that the SDEIS is posted on the Coast Guard website.

### **Joint Management Plan Review**

The plans are done, but we are revising the EIS. Maria has not seen the final regulations. We anticipate the final rule will be published in Fall 2008.

### **Beach Renourishment in Half Moon Bay**

Maria clarified Paul Michel's letter. GFNMS is lead on the San Mateo coast and Irina is the contact. Peter Grenell and Maria spoke, and the sanctuary would be happy to participate with Pillar Point Harbor. We would accept an invitation to participate on a working group to look at the issue. Peter has written a letter, inviting Maria and Paul to meet with him to discuss working together. Is it possible to nourish the beaches? We would need to determine it will not harm the sanctuary. We can change our designation document for a beneficial activity. It would go through a formal NEPA process with an EIS to assess the environmental impacts.

#### **Discussion**

- Richard Charter asked if it is necessary to alter the designation document? Can you do a categorical exemption?
- Maria Brown answered the designation document gives the authority, and the regulations give the ability. We would need to change the designation document through scoping meetings or we can do it through a working group, which is the sanctuary's preference. The harbor would need to head this up though. We would then produce a proposed rule for public comment. It would go through one more revision and then we would publish the final rule.
- Peter Grenell stated the Army Corp of Engineers has suggested a demonstration project, is there a mechanism to do this?
- Maria Brown answered you could do a demonstration project, but it would still require NEPA analysis.
- Brenda Donald thanked Brian Overfelt for getting everyone here, and stated this is what the council is supposed to do. This is the first step to getting something done. What is the next step?
- Maria Brown answered it would be for Peter to meet with Maria and Paul and then develop a working group.
- Peter Grenell stated that Irina is a good contact but she will be gone. Will there be someone else? He agreed that the next step is to meet with Maria and Paul. The Army Corps of

Engineers have been on site and they are interested in trying to work this out. There are questions concerning ocean conditions; maybe it would wash off, maybe there are things that they can do in terms of material placement? We would need to look at the impacts on beach use and the surf break also.

- Bob Wilson stated USGS did a study off of Ocean Beach and Mavericks, have they done one here?
- Chris Powell stated she can give Peter a name. They have been able to map exactly where the sand is going. They presented to the council two years ago.
- Capt. Swatland stated they have dealt with this on the east coast for 50 years. There must be some data.
- Brenda Donald stated you can improve water quality at same time you are dealing with the sediment.
- Peter Grennel stated that the material behind Pillar Point Breakwater is clean and suitable for beach placement. This will take some resources though, and they have been talking to the Army Corps and State Boating and Waterways about possible funding.

### **Public Comment**

Tim Duff, Surfrider, San Mateo Chapter, provided the following comments:

NOAA's change to the personal watercraft (MPWC) language in the management plan was presented to the Coastal Commission without public release. There was not an opportunity provided for all parties to learn about it and comment. The proposal contradicts this bodies vote to prohibit all MPWC use. It's been eight months since there has been any comment from this council. Surfrider, San Mateo has participated in this for seven years and sat on the task force. The notice excluded 99% of those that have been involved. We submitted comments on the need for more criteria, and we have not had our voice heard on this additional criteria. There is not a clear enough definition on when they could go out. The council should comment to NOAA on this. Tim has written Dan Basta, and he said the program gave the public the opportunity to comment. We don't feel the process has been transparent. We want this body to submit something in writing. The sanctuary is setting itself up for a lot of staff time and headache when they will have to continue to resolve conflicting issues.

Bob Battalio provided the following comments:

He supports the proposal to dredge sand from the harbor to surfers beach. It would be good for the harbor and surfers. It is important to understand the harbor is a sand trap. The sand used to move down the coast. Also, he is against zone 5 for the MPWCs. It doesn't make sense and is not practical. This conflicts with a paddle spot. The process has been short circuited and this will impact marine life including the shallow rocky reef habitat and, marine mammals in the water. He can't think of a worse place. This is an educational issue. Many don't understand this is a marine reserve. You can't decide when waves are "too big to paddle in." This is like putting a formula one race track through a running race.

Cliff Davenport, California Geological Survey and coastal sediment management working group member, provided the following comments:

He is the project manager of a sediment master plan that looks at the appropriate ways to reuse sediment. He is also part of an Ocean Protection Council project. One goal is to work with the



sanctuary to conduct sediment management within sanctuary boundaries and learn more about sanctuary procedures to find common ground. He has been working with MBNMS developing a coastal regional sediment management plan. He is the technical advisor for MBNMS's erosion control working group. He is working on a biological impact analysis report to identify critical species and habitat along the California coast. Bill Douros and Brad Damitz are reviewers. Another tool we are developing is statewide list of critically eroding beach areas. We have identified El Granada (Surfers Beach) as one. The list was reviewed by Irina and you can visit our website to see it. He can offer assistance to the working group. Also, jet ski zones open the door to something we can't control, safety. Jet skis can run into people.

Brian Overfelt provided the following comments:

He thanked everyone for coming out today. He urged all that are deciding the dredging issue to go down and have a look; look at both sides of jetty wall. The comments in the papers by the sanctuary, reflect you haven't had a look yet.

Wyatt Fields provided the following comments:

He is a crab fisherman in Princeton Harbor and requested to be given information on any demonstration projects. As for Maverick's, in Hawaii, they do a permitting class for jet ski use. We should do that before a general ban. You can also test some new jet ski emissions and compare them to boat emissions.

Craig Potter provided the following comments:

It's short-sided to say MPWC use is not environmentally sound. There is a very small window when waves are that big. There are other bigger issues. Surfers are the first to be involved when something impacts the environment.

Tim West provided the following comments:

Supports the dredging of the harbor. MPWCs are necessary for saving lives. On December 4, 2007 it was the biggest ever. There were 10 tow-in teams out there. You couldn't paddle out.

### **Discussion:**

- Maria stated the regulation process can be very confusing. Public comment on the document was closed Jan 1<sup>st</sup> 2007. The program is no longer receiving public comment. In August of 2007 we attended a meeting where the Coastal Commission was receiving public comment not us. We are in final rule making now. We proposed changes based on public comments, but the final rule has not been produced yet. Once it is final we are investigating options. We are still following the advisory council comments. That's why it hasn't come up again. The council had commented on changing the language from two seats to three seats.
- Peter Grenell stated the sanctuary has their own mechanism. They will post information on the harbor website. The public can contact Peter personally also. The harbor will keep everyone informed on what's happening.
- Richard Charter thanked those that came out to comment, and stated we haven't had this level of public attendance before. We do what we can, and we need information from local people.
- Barbara Emley asked, where would the dredging be?

- Peter Grenell answered, there is a large portion of sediment behind the breakwater. It would be the southeast side, near Hwy 1 and also some in the inner harbor and inner breakwater. The study performed last year covers the entire harbor.
- Barbara Emley stated the fishermen call your anchorage the “mud hole.” Is that sediment actually clean?
- Chris Powell thanked everyone as well, and agreed with Brian Overfelt you should not talk about an issue if you aren’t familiar with it. Many here are familiar with this. A possible funding source could be Cal Trans.

### **Condition Report Update**

Jan Roletto, GFNMS Conservation Science Coordinator gave a presentation that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

Jan commented that the condition report was created before the *Cosco Busan* oil spill.

### **Discussion:**

- Barbara Emley asked how many trawlers are in this area? It is hard to imagine they are having an impact. We have one in our harbor. The sanctuary should know how many. Barbara questioned some of the trawling assumptions and Rick Starr comparing MBNMS to GFNMS to CBNMS. She asked if the fishing community will be able to comment?
- Jan Roletto stated Barbara can act as liaison.

### **Tomales Bay Vessel Management Plan**

Karen Reyna, GFNMS Ecosystem Protection Specialist, gave a presentation that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

Currently there are 166 moorings in Tomales Bay. According to sanctuary regulations, moorings are not legal in the sanctuary. We are trying to balance this. Tomales Bay is listed on the 303d list specifically for fecal coliform.

Dominique Richard, Tomales Bay Vessel Management Plan working group chair gave the following update:

They established the list of invitees to be on the working group and Miriam Gordon and Dominique had personal interviews with each of the candidates. The group has now had their first meeting where two questions were tackled: environmental facility services and new criteria for moorings. Eight of the members have been working together on these issues already. The strong feeling was we need to evaluate the status quo. Live aboards are not an issue for the sanctuary, to regulate these doesn’t come under the mandate of the sanctuaries and the working group can’t advise another state agency, etc. on what their regulations should be. The group does want to know how the regulations are being enforced. We can make recommendations through the advisory council to the sanctuary. As for environmental services, it is clear where the place could be. It will be 2-4 years before anything can happen though. This is not a controversial issue in the working group. We are ahead of the game because the process began August of last year with three workshops. Many of the working group members attended those and expressed their concern. The Tomales Bay Watershed Council has instituted a boating committee. The owner of

Marshall Boatworks recently died, and he was strongly opposed to these discussions. His nephew is now on the working group and seems to be open to explore ways in which Marshall Boatworks can be involved.

### **Discussion**

- Richard Charter asked what is the window of time when this comes before the council as a whole? He receives emails and calls about this now, and feels he is being lobbied on things that are in the formative stages.
- Dominique Richard replied there will be seven meetings total, and the last proposal is anticipated in February 2009. The recommendation for the council will come at that time. There may be partial recommendations as we go along.
- Maria Brown stated we will have briefings all along.
- Karen Reyna stated if there are decision points with recommendations they will be brought to the council.
- Bob Wilson asked if the ultimate outcome was regulatory change?
- Maria Brown replied we would like to avoid it, but may need to. We would like to do it through a managers permit. Also, all working group notes will be posted on our website.

### **MLPA Update and Discussion**

Irina Kogan, GFNMS Ecosystem Protection Specialist, gave a presentation that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

### **Discussion**

- Barbara Emley asked if the BRTF will pick one of the three packages intact?
- Irina Kogan stated they have that option but she doubts it. The stakeholders don't want them to be modified. This is one motivating factor to come to consensus. The proposals do have a lot of similarities.

### **Bodega Bay**

- Barbara Emley asked, how does 1 differ from for 4?
- Irina Kogan stated that 1-3 is a cross interest group, including fishermen and conservationists, agencies, etc. Every proposal has state marine reserves. The Esteros are protected in every package. They took the recommendation out of our management plan.

### **Point Reyes Headlands**

- Irina Kogan stated the packages are identical. All dungenous crab, salmon, and squid fishing will be allowed. 1-3 and 4 have seabird protection areas- 1000 ft at Pt. Reyes Headlands, and each group has a 300 ft special closure at Stormy Stack. 1-3 2xa have special closures at Point Resistance. 2xa does not have an offshore MPA at all. 1-3 has a state marine conservation area (SMCA) which allows all fishing but groundfish. 4 has a SMCA to the north that only allows salmon trolling. The SMCA to the south only allows for groundfish. All the packages left the majority of Duxbury Reef open. This is an important fishing area.
- Barbara Emley stated that area does not allow crab fishing, but during this time of year most will have traps in.

### **Farallon Islands**

- Irina Kogan stated that many thought the Farallones would be the most contentious. Thanks to Bob and Jay, they worked out an arrangement that everyone liked. The only difference between the packages is the special closure areas. The conservation area allows for salmon fishing.
- Barbara Emley asked why there was not a similar arrangement at the north islands? There is important salmon fishing here at the 40 fathom line.
- Richard Charter stated they avoided the Farallones until the “end of the day.” All three groups, in the end, developed similar packages.
- Irina Kogan stated that the special closures are in same places at the Farallones, the only difference is the sizing of one and the boundary of another.

### **San Mateo Coast**

- Irina Kogan stated there are proposed MPAs off of Fitzgerald up to Point San Pedro. The SMCA and State Marine Reserve were flipped for 1-3 and 2xa. All three have special closures at Devil’s Slide that vary in size. 4 has an additional MPA. The proposals all have about half marine reserves and half conservation areas. The Blue Ribbon Task Force (BRTF) is most interested in high level and moderate high MPAs. The MPAs are sized in a preferred size range.

### **Special Closures**

- Irina Kogan stated they have location agreement, but the differences are in the sizes: 300, 500 or 1000ft. She passed out copies of a letter to the BRTF by the sanctuary on the preferred special closures.
- Barbara Emley asked where is Point Resistance?
- Irina Kogan stated it is off of Point Reyes National Seashore, just off the coast near Stormy Stack. The fishermen say that most don’t go there, if they do its their “secret spot” and they don’t go often. She also said all closures will go up to mean low tide and asked if the council had any concerns or saw any red flags?
- Brenda Donald asked why Bean Hollow was not included in the sanctuaries closure recommendations?
- Bob Wilson stated there was a strong opposition by catch and release fishermen. They would stop restoring steelhead habitat if they could not catch and release here.
- Barbara Emley stated that all three proposals have closures from Chimney Rock to Estero, but everything in there is anchorage. We will no longer be able to put our pole in there when anchored.
- Brenda Donald asked what about sandy beaches? She also stated that it looks like everyone has done a good job of coming together.
- Irina Kogan stated sandy beaches have the lowest representation as a percentage, but there is so much of it.

### **South Farallon Islands**

- Barbara Emley asked why 2xa wanted the eastern shore of Southeast Farallon Island open with no special closure?
- Irina Kogan stated one ecotourism operator wanted this to be able to view the birds closely.

### **Bolinas Lagoon Restoration Plan (Council Action)**

Sage Tezak, Bolinas Lagoon Restoration Coordinator, gave a presentation that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

- Sage Tezak stated we will be asking for recommendations from the council to move forward with the draft plan. The working group will have a final comment and review period.
- Bruce Bowser, Bolinas Lagoon Restoration working group chair, stated the group met last Tuesday and went down from 17 pages to 5. So much was centered around how to make this more accessible to the public.
- Sage Tezak stated there was a community lecture in Stinson and seven working group meetings. We have taken a holistic approach, and are focused on how we can protect the lagoon, as well as enhance and restore it for the future. The group developed a draft vision, a need for action, a project goal, and the project objectives (see presentation). They developed a suite of recommendations that will be passed out to the council. The plan takes a watershed approach.

**Action>> Change language to read “geological evolutionary processes.”**

#### **Discussion**

- Sage Tezak stated sections 1-3 are restoration actions in the Locally Preferred Plan, 4-5 are management actions, and 5 is monitoring and adaptive management. We want to restore the flood plains throughout Bolinas Lagoon. This is a controversial area because there are a lot of private lands.
- Bob Wilson asked for 1.1b, what is determined “sustainable function?”
- Sage Tezak replied that some recommendations do require further studies.
- Maria Brown stated sustainable refers to not wanting to remove the sediment for it to only come back during the next storm.
- Sage Tezak stated 1.1 and 1.2 deal with flood plains, the delta, and roadways.
- Bob Wilson asked for 1.4c, what are “neutralized roads?”

**Action>> Explain the terminology used throughout the plan.**

- Bruce Bowser stated Cal Trans has done an assessment because of this working group. Out of 24 culverts, 19 were severely compromised. The earliest map of lagoon was done in 1854, at that time there was no delta. There are two types of sediments accumulating in the lagoon, from the sand spit and the Bolinas bluffs. 20% is from alluvial sources from the watershed and 80% is littoral. There are very tall eucalyptuses along Olema-Bolinas Road and they have contributed to a loss of wind fetch.
- Maria Brown stated the delta is building due to a lack of wind wave action and the depositing of alluvial sediment.
- Sage Tezak stated the east shore of Hwy 1 has areas with culverts. We are looking at restoring floodplains and removing portions of the delta. This is done though causeways or replacing culverts. Cal Trans will pay for it, and they have a representative on the working group. Historically, Kent Island was dynamic, it would move and change shape. Now there are invasive species and they have stabilized the island. It is not dynamic anymore.

- Bruce Bowser stated Bolinas Channel is where they historically tied schooners off Wharf Road.
- Maria Brown stated the fishing community is concerned the channel is shrinking. Removing Kent Island trees could open up that channel.
- Bruce Bowser stated the Seadrift tidal flow only opens with about a 5.3ft tide. The thought is to open up the tide gate on extreme high tides in an effort to increase water circulation and scour in the southern Lagoon.
- Sage Tezak stated the Seadrift concern is that all the water will drain and then the area will be filled with mud. The present floodgate placement would not allow such a situation to occur.
- Brenda Donald asked what is the source water?
- Bruce Bowser replied tidal, saltwater.
- Sage Tezak stated for the 1.9 restoration management action, they are also trying to see if eel grass can be restored in Bolinas Lagoon, looking into removing invasive species from Kent Island and removing treated wood in the lagoon (one telephone pole that is floating). There are about three dumps in Bolinas Lagoon, and we are also looking into removing these or they could be capped.
- Richard Charter stated they should look at the option of closing the mouth during an oil spill.
- Irina Kogan stated the issue with putting boom there is it can work, but the problem is when the tide switches. You need certain types of boom. The flow is two ways and that's when booms fail. People are looking at ways to solve this, and many have speculated you may not be able to boom Bolinas. An alternative to boom must be looked at also.
- Sage Tezak stated 3.2 is based on annual replacement of materials. For 3.4, the last estimate to remove the dredge was \$500,000.
- Maria Brown stated the Office of National Marine Sanctuaries does have a sunken vessel fund, but we would have to use it all.
- Bruce Bowser stated that many would prefer to let it stay, feeling it provides good habitat. Some people see it as an eye sore. We are happy with anything that improves the flow of the lagoon.
- Sage Tezak stated these strategies will be developed into a public friendly document.

Bruce Bowser asked the council for a motion to move forward with the release of a draft plan, on the condition that the working group will have a final review and comment period prior to releasing the plan to the public:

Motion- Richard Charter, Conservation

Second- Bob Wilson, Conservation

Motion carried unanimously

#### **Discussion cont.**

- Maria Brown stated we will get the draft document to the working group next week. It will then go to the public, and we will have public meetings. We may revise the plan based on public comments and get a draft back to you at the July meeting for council approval.

- Bruce Bowser stated many people feel we are not being proactive enough about the sediment, and want to know when they will see results? Some will happen more readily, others will take more time.
- Richard Charter asked if adaptive management was built into the plan?
- Sage Tezak replied that sustainability linked with adaptive management is the goal of plan. This is discussed in section 4.
- Bob Wilson stated most will be interest in allowing for natural processes rather than dredging every few years.
- Richard Charter asked how does the Army Corps of Engineers fit in?
- Maria Brown replied they have contracted the sanctuary to produce this plan. They are supposed to insert it in the EIS. We will discuss if a new EIS should be issued.

### **Advisory Council Business**

Kelley Higgason, GFNMS Advisory Council Coordinator

### **Correspondences**

- Dan Basta sent response letters to the letters the council sent in December 2007. These have been distributed to the members.

### **Protocol for requesting agenda items and rescheduling meetings**

- First send an email to Richard and cc Kelley and Maria requesting the agenda item. We will then decide which meeting we can fit it in. Please do this before you contact anyone else so we are aware of what is going on.
- If we want to reschedule a meeting we need to propose the meeting change at a prior meeting where we all together. We can't necessarily say that will be the date until Kelley checks with sanctuary staff to make sure it will work with project deadlines.

### **Discussion**

- Maria Brown stated she would like to propose to move the July 10<sup>th</sup> meeting to July 25<sup>th</sup>.
- Kelley will do a final check and move the meeting to July 25<sup>th</sup> if possible.
- Barbra Emley asked if the sanctuary knows where the council retreat meet will be? She would like an outside activity included.
- Maria and Kelley did not know but we will discuss this at the July meeting.
- Kelley stated we will make it a fun day and won't do as much business. We will go through the work plan, but we will keep the workload small.

### **MBNMS R/V Fulmar Cruise and SAC opportunity for SEA Survey cruise**

- We have an opportunity for the council to go out on the *R/V Fulmar* with one of Jan's SEAS cruises. The date is July 30<sup>th</sup> and it will be out of Sausalito. There is room for 14 members. You won't be put to work on the boat, and attendance will be based on first come first served.
- MBNMS has opened up the *Fulmar* cruise on May 20<sup>th</sup> to our council members as well. It is leaving at 8:45 am.

### **2007 Chairs and Coordinators Meeting**

- Richard Charter stated that oil spill preparation and response will be the topic, but he is not sure who will give presentation.
- Maria Brown stated Richard has been asked to present.

### **Work Plan**

The council work plan was updated with the following changes:

- Bolinas Lagoon- change to “one” option; status column should read final recommendation July 2008
- Tomales Bay- status column should read working group established
- Resource Protection- for Climate Change, established a Greening Working Group that will develop a greening plan for the sanctuary facilities, group began with the summit
- Seabird Colony Protection Program- Enforcement Working Group met in March 2008
- MLPA- status column should record presentations, discussions, and outcome of special closures
- Emergency Response- activity- review best available technology
- Ecosystem Monitoring- activity- briefing on SEAS program and SEAS cruise July 2008.
- Joint meeting- status- met February 2008
- Pacifica and Half Moon Bay- status- met there today and in February 2008

### **Discussion**

- Barbara Emley asked what happened to the joint water monitoring group?
- Maria Brown replied this is a possible topic to discuss. GFNMS does not have any water quality programs now, but hopefully we will in the future. We could include farms, beach closures, meetings with SAM, Tomales Bay, etc.
- Brenda Donald stated looking at waterways on the 303d list could be a good topic. This has been a multi agency problem.
- Richard Charter stated we have a lot going on. We are starting to catch up after the spill, with progress on some very thorny and time consuming issues in Marin County. Special closures would not have happened without the information from sanctuary staff.
- Maria Brown stated she wrote an email to Bill to express that the staff has been doing an outstanding job this year. The amount of projects and level of difficulty has been high.
- Richard Charter stated there is a high probability of having a sanctuary that is twice as big, and there is an authorization for appropriations.

### **2008 Upcoming Meetings**

- July 25, 2008                      Point Reyes
- October 9, 2008                  Council Retreat
- December 11, 2008              San Francisco