



DRAFT

DRAFT

DRAFT

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

Headlands Institute, Sunset Building

Sausalito, CA

9:15 a.m. – 4:30 p.m.

Thursday, December 11, 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 9:15 am.

Roll Call

Bruce Bowser	Conservation Alternate
Richard Charter	Chair/Conservation
Pat Conroy	At-large/San Francisco and San Mateo Alternate
Brenda Donald	At-large/San Francisco and San Mateo
Barbara Emley	Maritime Activities/Commercial
Robert Frischmuth	Monterey Bay NMS Liaison
Brian O'Neill	National Park Service
Dominique Richard	At-large/Sonoma and Marin
Pat Rutten	National Marine Fisheries Service (non-voting)
LTJG Brittany Steward	United States Coast Guard Alternate (non-voting)
Dorris Welch	Education Alternate
Bob Wilson	Conservation

Gulf of the Farallones National Marine Sanctuary Staff

Maria Brown	Sanctuary Superintendent
Brian Johnson	Deputy Sanctuary Superintendent
Kelley Higgason	Advisory Council and Ocean Climate Initiative Coordinator
Sarah Ratzesberger	Project Assistant

Copies to/Absent:

Secretary Linda Adams	California Environmental Protection Agency
Brian Baird	California Resources Agency
Amy Boone	California Resources Agency Alternate
Bob Breen	Education
Natalie Constantino-Manning	National Marine Fisheries Service Alternate (non-voting)
Capt. Thomas Cullen	United States Coast Guard (non-voting)
Bill Douros	ONMS West Coast Regional Office



Peter Grenell	Maritime Activities/Commercial Alternate
Marc Gorelnik	Maritime Activities/Recreational Alternate
Dan Howard	Cordell Bank National Marine Sanctuary
John Largier	Research
Mick Menigoz	Maritime Activities/Recreational
Paul Michel	Monterey Bay National Marine Sanctuary
Chris Powell	National Park Service Alternate
Jonathan Stern	Research Alternate

Review Agenda:

The agenda was approved with no changes.

Approval of Prior Notes:

The July 25, 2008 meeting notes were approved with the changes put forward by Bruce Bowser and John Largier.

Motion: Bruce Bowser, Conservation Alternate

Second: Dominique Richard, At-large/Sonoma and Marin

Motion carried unanimously.

Reports

Member Reports

- Bruce Bowser, Conservation Alternate, attended the Bolinas Lagoon Technical Advisory Committee meeting. He brought up the issue of water quality and the committee will be paying more attention to this in the future. With the use of a new chip, more pathogens can be identified. The local coastal program is being reviewed in Marin and Bruce is attending a meeting for this. Water quality issues will be taken up here as well.
- Pat Conroy, At-large/San Francisco and San Mateo Alternate, attended a meeting held by San Mateo County on a draft model for the Fitzgerald interpretative exhibit. The money has been received from GFNMS for the exhibit. It will be a large concrete climbing structure. There is concern that they need to get the money spent, but they also need to fit this into the existing master plan. They need to figure out where will it go in the existing parking lot.

Discussion

- Maria Brown stated the Fitzgerald friends group requested the appropriation to go to GFNMS from Congress. We did receive it and have two years to spend it.
- Dorris Welch stated there was a similar situation at the Oakland Museum. She can request a no cost extension and could talk with the Fitzgerald group about how to do this. The museum's funds came through NOAA.
- Maria Brown stated that at the February meeting Carol Preston will be presenting information on this to the council.

Member Reports Cont.

- Brenda Donald, At-large/San Francisco and San Mateo, reported that Ocean Blvd., adjacent to Fitzgerald, will be closed. She contacted Public Works about what they were

going to retrieve and what would fall in the sanctuary. They had been working with state and local jurisdictions, but not federal. They had not yet contacted the sanctuary.

- Richard Charter, Conservation, tabled his report until the offshore drilling agenda item.
- Robert Frishmuth, Monterey Bay National Marine Sanctuary (MBNMS) Liaison, reported their council is meeting tomorrow. They last met in October in Cambria, and the sanctuary now extends out to Davidson Seamount. He is impressed by how active volunteers are in the southern area. The administrator down there has resigned, and they honored her at the meeting with a resolution. Another resolution was passed to continue funding for that area. Tomorrow they will be presented with a resolution to reinstate the oil drilling moratorium, parallel to the one presented here. They are working on a process for considering Marine Protected Areas (MPAs) in federal waters. There is a subcommittee, but the function of this is an issue. There has been a Freedom of Information Act (FOIA) request for documents related to this. The process will be staff and resource limited.
- Dorris Welch, Education Alternate, reported the city of Oakland is going through tough financial times. The museum is applying for a big National Science Foundation grant. They have been doing community focus groups to help inform exhibits. The museum will close from September through March with a grand reopening that will include many new exhibits. The city of Santa Cruz is closing the natural history museum. They are giving the community four months to raise enough money to keep it open.
- Dominique Richard, At-large/Sonoma and Marin, reported he attended the opening of the Giacomini Wetland. The Drakes Estero harbor seal population has been monitored over 12 years and a paper has recently been written that was accepted by a journal and will be published soon. For Beach Watch he went to a HAZWOPER recertification, as well as a training last week on wildlife rescue. He will talk about Tomales Bay later in the agenda.
- Barbara Emley, Maritime Activities/Commercial, reported that the fishermen from the three harbors that use GFNMS are on the ropes because they depend on salmon and crab. There was no salmon season, and the crab season is the worst it has been since the early nineties. The forecast on salmon returns say there will not be a season again. There should be crab two years from now. There will be no more disaster assistance for the salmon. They are hoping to get trap limits for the crab industry. They want to start up a task force to look at over capitalization.
- Brian O'Neill, National Park Service (NPS), reported the record of decision on the restoration of Lower Redwood Creek is finished. They are working through the Parks Conservancy to complete the funding package. There is about \$16 million with a significant portion secured. They still need about \$6 million more for the bridge project. They are working with Marin County and Lynn Woolsey's office to complete this. For the council, if there is anything we feel we can fit into the economic criteria for the stimulus package we need to submit now. This is important for facility money. If you don't get in now there could be lean years ahead. They are hosting a fascinating conference this week dealing with how people learn, how you design facilities, what should be future concepts of designing parks, etc. There won't be proceedings, but they are coming up with concepts and guidelines that will be available. There will be a website.

- Pat Rutten, National Marine Fisheries Service, reported they are replicating herring research and evaluation studies now, one year after the *Cosco Busan* oil spill. Pillarcitos Creek has \$160,000 available for a feasibility study for restoring the lagoon. Pescadero Lagoon has \$220,000 for a sediment study. Around March, there should be a large woody debris project in the lagoon. His office was also asked to provide ideas for stimulus projects to the Obama transition team. They want something that can be implemented in the near-term, nothing less than \$5-15 million.
- Bob Wilson, Conservation, reported that since April he has been the interim executive director at FMSA. They have now hired Terri Watson and she will come on board January 5th.
- LTJG Brittany Steward, United States Coast Guard Alternate, reported that the U.S. Coast Guard (USCG) and NOAA are working together with the sanctuary enforcement division. They are also working with Matt Pickett helping to produce a sanctuary air patrol guide. USCG and California Dept. of Fish and Game have been doing volunteer dockside examinations during the crab season.

Superintendent's Report

Maria Brown, Sanctuary Superintendent, handed out the superintendent's report (stating that in the future we will send this out electronically and members can request a hard copy) and reported on the following:

Marine Life Protection Act (MLPA)

Today is a California Department of Fish and Game hearing. Sage Tezak is attending. Special closures are moving forward. The MLPA Monitoring Enterprise has met twice. Irina Kogan, Jan Roletto, Bob Wilson, and Bob Breen are on that group. The goal is to establish baseline monitoring conditions. The last meeting for the north-central coast is scheduled for March.

Facilities Master Plan

We signed the Memorandum or Agreement (MOA) with the Park Service for the residence. In November we had the first construction planning meeting. We have developed a timeline and will be breaking ground in March. The estimated timeline is six months. This building is anticipated to be our climate change center.

Bolinas Lagoon

In July the council forwarded the restoration plan. The sanctuary took it to the Bolinas Lagoon Technical Advisory Committee, and it was accepted and forwarded to the Marin County Board of Supervisors. There was comment on the reference to Stinson Beach in the water quality section, and this was taken out. It was the only change made. It went to the Board of Supervisors in October and they voted unanimously for the plan. We have discussed funding with the Army Corp of Engineers and they have put in a request for 2009. Once this is approved they will do a feasibility analysis. Sage Tezak no longer works on this on project, but we have hired an intern, Kate Bimrose, to monitor the project and move forward with looking at funding opportunities. We also put in a request for restoration of Bolinas Lagoon (including invasive species removal) as part of Cosco Busan, We had a meeting last week with the Costal Commission and Cal Trans on Hwy 1 in Bolinas Lagoon. They are moving forward on the causeway and culverts.

State of the Sanctuary

We still don't know the cause of the harbor seal die off last summer. Gray whales were delisted but their population numbers are now dropping again. It is believed to be a lack of food. The theory is because of climate change, and resulting warmer waters.

Discussion

- Pat Ruten stated that next month NMFS will be listing black abalone as an endangered species.
- Maria Brown stated we will also be publishing the fifteen year Beach Watch Report January 15th, coinciding with our volunteer appreciation event at the San Francisco Maritime National Historic Park. The council members should have received the Evite.

Seabird Protection Network

The program changed its name from Seabird Colony Protection Program. They hosted a communications workshop in October on effective communication to change behavior. They brought together groups that manage or educate on seabirds, and the result was there is now a network.

Permitting Update

The required education on acoustic buoys at Point Reyes has been done. An announcement was sent to Fishermen's News. We will be going out to check them after the crab season. They have plans to add additional buoys. We will meet with them in January to begin discussions. The first meeting will be an internal agency meeting. There is a Federal Energy Regulatory Commission (FERC) permit request for a study area for hydrokinetic energy within the Gulf of the Farallones. The city of San Francisco, as well as other partners, are interested in working with the sanctuary to comment to FERC.

Discussion

- Richard Charter stated that everything not within MLPA boundaries will be applied for similar FERC hydrokinetic permits. The motivation is to have whatever happens there subject to local control. He can forward maps.
- Maria Brown stated we do have a map of the proposed sites that we can send out.
- Barbara Emley stated there are many carbon trade offs. These will double the areas you can't fish. We will need to get fish internationally if locals can't fish.
- Maria Brown stated we will recommend hydrokinetic energy as a topic on the joint agenda.
- Brenda Donald asked if there is a standard impact scale for different types of energy?
- Richard Charter stated with the new Administration, some sort of relative environmental impact index will be produced. There is no free lunch as far as energy. We will be dealing with this in the ocean, wave energy has a higher energy density than wind, but there are space use conflicts, habitat conversion, entanglement, noise, etc.

Update from NOAA's Office of Law Enforcement

Dayna Matthews, West Coast Enforcement Coordinator, NOAA Office of Law Enforcement (OLE) gave a presentation that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

- An Office of the Inspector General's report came out in February 2008 that was a routine audit of sanctuaries. 40% of the report talked about the relationship between sanctuaries and NOAA OLE, which is the only enforcement branch in NOAA. The report stated OLE had not adequately worked with sanctuaries. The report is available online. The two primary recommendations were to send a liaison to all advisory council meetings. Dayna is doing this for all five west coast sanctuaries. He will be at every council meeting. He will also be the liaison for newly established law enforcement working groups that will be responsive to sanctuary superintendents and Advisory Councils. They used the model from the Pacific Fisheries Management Council, but this can be problematic for enforcement. We will be less formal. We will have regional working groups focused on natural resource issues within sanctuaries. He has spoken with three other California sanctuaries, and all of them had different ideas on how this group would function. He will speak with Maria as well. The Technical Advisory Committee met yesterday in Monterey to discuss the Maverick's Surf Contest. The Pillar Point Harbor Master, Fitzgerald Marine Reserve, and GFNMS and MBNMS staff were there. There are a number of agencies covering crowd control issues. There will be six Fitzgerald rangers present and the sanctuary will have observers.

>>Action - Send the Office of the Inspector General's report to council members.

Discussion

- Brian O'Neill stated there are some areas where the sanctuary is adjacent to the park. The NPS have jurisdiction in some of these areas. Has it been determined if the NPS should be partnering/collaborating on this?
- Dayna Matthews replied they are a primary partner at Channel Islands National Marine Sanctuary.
- Maria Brown stated we do have an enforcement working group specific to seabirds, and the NPS and U.S. Fish and Wildlife Service are on this.

Final Joint Management Plan Release

Maria Brown gave a presentation on the new CBNMS/GFNMS/MBNMS management plans that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

Ocean Climate Initiative

Kelley Higgason, GFNMS, provided the following update:

- We are developing a joint site scenario document with Cordell Bank National Marine Sanctuary (CBNMS). We held a two-day workshop November 4-5. It was very successful and from the workshop notes we have developed a draft outline for the document. Attendees were designated as leads for certain sections where they had expertise. They will either recommend citations or they will write a section. We are anticipating the release for the end of April. We will organize a press conference for the release. The site scenario group will meet at least one more time. CBNMS has already designated this as a working group, and we would like to ask the GFNMS council to do the same.

Request for joint CB/GF climate change site scenario working group:

Motion- Bob Wilson, Conservation

Second- Brenda Donald, At-large/San Francisco and San Mateo

Motion carried unanimously

>>Action- Kelley will send the council the list of working group members and an outline of the document.

Channel Islands National Marine Sanctuary (CINMS) ocean acidification report

The council put forward a motion to concur with and support the recommendations of the CINMS Conservation Working Group as they apply to CINMS and the council supports similar actions as appropriate to GFNMS.

Motion- Richard Charter, Conservation

Second- Barbara Emley, Maritime Activities/Commercial

Motion carried unanimously

Public Comment

Jackie Dragon, Seaflow, provided the following comments:

Seaflow is a non-profit working on ocean noise pollution such as sonar and shipping noise. Shipping has a wide range of threats to the marine environment. Large ships produce noise in the same frequency as baleen whales. Some whales have lost 9/10ths of their acoustic ability. She encourages the council to take on shipping and ocean noise. Ship strikes are the leading cause of mortality of whales. Carbon dioxide emissions can be reduced with a 10 knot speed limit. Lance Morgan and the Cordell Bank council want to work with GFNMS as this region is a hotspot. She requests that this council puts this issue on the agenda for the April 16th meeting.

George Clyde, Member of the Tomales Bay Vessel Management Working Group, provided the following comments:

Over a year ago he was critical of GFNMS and vessel management in Tomales Bay, but through the working group he is now personally satisfied. The group is comprised of many people with local knowledge. We have all learned a great deal about Tomales Bay and all the agencies involved. It is not a contentious group we want to preserve what we have without compromising the environment.

Mike Milne, Sea Turtle Restoration Project, provided the following comments verbally and in writing:

The U.S. West Coast Exclusive Economic Zone is utilized by two highly threatened species of sea turtle: the *Pacific Leatherback* and the *Pacific Loggerhead*. These waters comprise one of the most important feeding areas in the entire world for leatherbacks and are a critical migratory corridor for loggerheads. Every year hundreds of Pacific leatherbacks swim more than 6,000 miles across the ocean from their nesting grounds in Indonesia to West Coast waters that include the Cordell Bank, Gulf of the Farallones and Monterey Bay National Marine Sanctuaries. While

these sea turtles find safe harbor in marine sanctuaries and the Leatherback Conservation Area that extends from Central California to the mid-Oregon coast, they face growing threats in these same waters from proposals for expanded longline fisheries for swordfish, increased shipping traffic, and climate change. Turtle Island Restoration Network seeks the attention and action of the Gulf of the Farallones National Marine Sanctuary Advisory Council to help raise public awareness of the Pacific leatherback and loggerhead sea turtles and take actions as appropriate to help protect them.

Please consider adopting a resolution, policy statement or other appropriate action to advise National Marine Sanctuary Managers to:

1. Recognize that Pacific leatherback sea turtles utilize the Cordell Bank Marine Sanctuary and adjacent sanctuary waters for foraging and migration; and
2. Consider the presence and protection of Pacific leatherback that utilize sanctuary waters in implementation of the new joint management plans; and
3. Include Pacific leatherbacks in educational materials, interpretive displays and communications about the marine life of the sanctuaries; and
4. Report and record Pacific leatherback and loggerhead sea turtles observed in sanctuaries as part of any on-going monitoring and research of marine sanctuary resources; and
5. Take appropriate actions and/or adopt policy statements to protect Pacific leatherbacks in sanctuary waters from threats to their long-term survival, specifically proposed new longline fisheries off the West Coast, increased shipping traffic through sanctuary waters, and climate change.

Discussion

- Barbara Emley asked, is there a swordfish fishery in sanctuary waters?
- Mike Milne replied the revised permit would not allow this in sanctuary waters, but the migrating turtles use the sanctuary to feed.

Meg Delano, Pescadero Marsh, provided the following comments:

She attended the forum on the marsh restoration. She feels the process is becoming much more cooperative. Anoxia is the reason for the steelhead kill that occurs each year and one management action could be to restore the levee to the north pond. There is a debate over the goal to restore to 1854, or to the 1920's, or the 1980's. We need to decide on the objective; is it to increase red legged frogs, migratory birds, etc. We need to discuss what the unintended consequences would be. Also, moving forward with a plan for a sewage system in Pescadero. A summary of the forum can be requested through Katherine Smetak at smetak@cemar.org.

Eelgrass: Critical Sanctuary Habitat

Kathy Boyer, Assistant Professor, Department of Biology, Romberg Tiburon Center, gave a presentation titled, "Eelgrass: critical habitat in estuarine waters" that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

Discussion

- Brenda Donald asked how eelgrass is different in Tomales Bay than in San Francisco Bay. Is there none in the South Bay?

- Kathy Boyer replied it grows deeper in San Francisco Bay. Tomales Bay has an intertidal zone and it grows more shallow there. These plants are smaller. There is one location south of the San Mateo Bridge with a few plants.
- Bob Breen asked if eelgrass was essential habitat for spawning herring? Are they tied together? Is increasing herring a part of your restoration goals?
- Kathy Boyer replied, yes, we know they use the eelgrass and one thing that motivates us is to try and increase herring spawning.

Tomales Bay Vessel Management Plan Working Group Report

Brad Damitz, Tomales Bay Vessel Management Plan Working Group Coordinator, GFNMS, gave a presentation that is available online at: <http://farallones.noaa.gov/manage/sac.html>.

Working Group Recommendations- Mooring Criteria (MC)

Seagrass Criteria

1-MC Recommend to the council the following criteria for seagrass beds:

- Seagrass extents from 1992 were merged with updates from 2000, 2001, and 2002 to designate current seagrass beds. No mooring in designated seagrass beds will be permitted and, if mooring tackle touches submerged lands, a buffer equal to the radius of the mooring tackle would be applied. Seagrass criteria can be amended to allow the Sanctuary in its sole discretion to allow a mooring in a designated seagrass bed if its installation, maintenance, and use results in negligible impacts individually or cumulatively, or is beneficial to the environment in comparison to the alternatives. Based on adaptive management, designated seagrass beds will be periodically updated using surveys.”

*There was a minority dissenting opinion that the above criteria not be applied for new installations in actual eelgrass beds.

Discussion:

- Dominique Richard stated the working group is working off a document created by the interagency group. The working group used the term seagrass beds, which implies the requirement for adaptive management. What if you have a permanent mooring and seagrass grows under it? The recommendation also allows the superintendent to decide if a mooring can be placed within a seagrass bed if need be without causing harm. This is why there is a dissenting opinion.
- Bob Wilson asked what is an alternative where putting in a mooring would have benefit?
- George Clyde, working group member stated, you may want to permit if there is a sensitive area that people often come in from outside of the bay and anchor in. You could potentially put one buoy there as an alternative to anchoring. You can consolidate moorings in one area and alleviate another. The sanctuary would have discretion in limited areas.
- Richard Charter asked if there is anything about the sanctuary adopting 1MC as a policy that could set a precedent for other sanctuaries, agencies, estuaries, etc.?
- Maria Brown stated NOAA General Council will tell us. The language may change based on this.
- Bob Wilson stated this is general language, it may be too broad.

- Dominique Richard stated we could deal with this in the recommendation for a mooring field. Do we brainstorm all the situations where this could happen?
- Richard Charter agrees with the intent and most of the methodology. The process is exemplary. The problem at this point is supporting something this open ended. We need to be more restrictive in the exemption. Could adopting the language, “Seagrass criteria can be amended to allow the Sanctuary in its sole discretion to allow a mooring in a designated seagrass bed if its installation, maintenance, and use results in negligible impacts individually or cumulatively, or is beneficial to the environment in comparison to the alternatives,” set a precedence for other projects.
- Maria Brown answered, once we get the recommendations we will go to our legal department before finalizing.
- Brian O’Neill agrees it is too open ended. He would like to see it more precisely defined.

The council supports the concept presented in this recommendation and the importance of having more restrictive criteria for an exception, but more specific language needs to be developed on the types of exceptions.

2-MC Recommend to the council the following criteria for addressing migrating seagrass beds and the citing of future seagrass beds:

A. Designated seagrass beds will be established at the time that the permitting process is approved, subject to amendment in accordance with periodic review.

The council agreed to move forward with this recommendation.

B. Prior to permit/lease renewal, evaluate location and extent of designated seagrass beds based on the most recent reviewed data. If moorings are within designated seagrass beds, consider repealing the mooring license or permit, relocating the mooring *or mandating alternative mooring technology* in that location.

The council agreed to move forward with this recommendation.

C. Seagrass criteria can be amended to allow the Sanctuary, in its sole discretion, to allow a mooring in a designated seagrass bed if its installation, maintenance, and use results in negligible impact or is beneficial to the environment in comparison to the alternatives.

*There was a minority dissenting opinion that the above criteria not be applied for new installations in actual eelgrass beds.

The council supports the concept presented in this recommendation and the importance of having more restrictive criteria for an exception, but more specific language needs to be developed on the types of exceptions.

State Parks Criteria

3-MC Working Group recommends to the council that the sanctuary investigate the possibility of State Parks revising their recommendations for mooring. Specifically, to change the recommendation from “No mooring in areas 1000 feet offshore of State Park lands” to “individual mooring permits be reviewed subject to the approval of State Parks, if required.”

Discussion

- Dominique Richard stated this is the result of inquiry with State Parks. We don't have the resources to do the permitting.

The council agreed to move forward with this recommendation.

Shoreside Properties Criteria

4-MC Working Group recommends to the council that the sanctuary bring for consideration to the Interagency Committee the creation of a no-mooring buffer in front of residential shoreside properties without the consent of the property owner.

Discussion

- Richard Charter asked is the role of the sanctuary in the interagency committee strong enough? What is our role once we endorse this?
- Maria Brown stated the sanctuary is neutral. The working group wants us to bring their thoughts to the interagency committee.

The council agreed to move forward with this recommendation.

The council put forward a motion to forward the above Mooring Criteria recommendations with the proposed changes for 1-MC and 2-MC.C.

Working Group Recommendations- Sewage and Oil Services (SS)

1-SS Recommend to the council that staff, with continued input from community stakeholders, pursue the investigation and planning for sewage services at the following locations: Lawson's Landing, Marshall Boat Works, Marconi Cove, and Miller Park.

The council agreed to move forward with this recommendation.

2-SS Recommend to the council staff support in pursuit of environmental services grants at those sites deemed appropriate in the investigation from #1 above.

The council agreed to move forward with this recommendation.

3-SS Recommend to the council that the sanctuary encourage Marin County Parks and Recreation, State Parks and/or GGNRA to purchase the private Marconi Cove parcel up for sale that is currently being used as a boat ramp.

Discussion

- Brian O'Neill stated the more generic term of National Park Service would be best for both 2-SS and 3-SS.

The council recommended changing the language from GGNRA to NPS for 3 and 4.

4-SS Recommend to the council that the sanctuary write a letter to GGNRA requesting that the GGNRA install and maintain a "Port-a-John" bathroom facility at Grassy Point on GGNRA

17-111 (Marin County Assessors Parcel No. 104-230-23).

The council put forward a motion to forward the above Sewage Services recommendations with the proposed changes to 3-SS and 4-SS.

Working Group Recommendations- Oil and Bilge (OB)

1-OB The Working Group recommends the issue of oil and bilge services be included as part of the Vessel Management Plan for reducing impacts to water quality, and impacts to wildlife, habitats, and human health. Specifically, the group recommends:

A. Oil absorbent exchange program for the following locations: Marshall Boatworks, Miller Park, and Lawson's Landing.

B. Identification of existing vessel oil recycling facilities for Tomales Bay (including Lawson's Landing, Greenbridge Auto and Gas and others) and investigation of the potential for a new facility at Marshall Boat Works.

The council put forward a motion to forward the above Oil and Bilge recommendations with no changes.

Working Group Recommendations- Education and Outreach (EO)

1-EO Working Group recommends an educational approach focused on not anchoring in eelgrass beds, rather than using buoys as markers of eelgrass beds or anchoring/no-anchoring zones.

Discussion

- Maria Brown stated we will be bringing this to our enforcement working group. They originally recommended the buoys, but we may not be able to move forward with buoys based on this recommendation.

The council agreed to move forward with this recommendation.

2-EO The Working Group recommends that a boater education and outreach program be developed that encompasses the following:

A. Education and Outreach Messages:

- Take out your trash;
- Dispose of human waste properly (locations of disposal sites);
- Dispose of oil, fuel and maintenance products properly (disposal site locations);
- Do not disturb wildlife;
- Do not introduce non-native species;
- Register your vessel/ do not abandon boats; and
- Protect eelgrass: don't anchor in eelgrass.

The council agreed to move forward with this recommendation.

B. Education and Outreach Materials/Strategies

These are identified in the working group notes from November 12, 2008. The highest/short-term priority was identified as creating a webpage with maps, locations for products and services, and integrated messages, and outreach at specific venues and events.

The council agreed to move forward with this recommendation.

Miscellaneous recommendation from council:

- Pat Rutten stated NMFS just did an inventory of Creosote piers in San Francisco Bay.
- Richard Charter requested to add language to explore opportunities to remove unused creosote bearing structures with water contact.

The council put forward a motion to forward the above Education and Outreach recommendations with no changes and to add a miscellaneous recommendation to explore opportunities to remove unused creosote bearing structures with water contact.

Implementation

- Maria Brown stated Karen Reyna put together a staffing plan for the next six months as well as lessons learned. The working group has requested to continue into April. We are looking for guidance on implementation. Are there opportunities where we can implement these actions right away or wait until we go through the whole process?
- Brian O'Neill asked would this just be the NOAA portion?
- Maria Brown replied, yes.
- Brad Damitz stated that the recommendations presented are only part of the plan. There are additional topics that the working group needs to work on.
- Maria Brown stated in April we will come back to the council with the draft plan, mooring fields, permitting procedures, and other big issues. Maria asked the council if Karen was missing something and what they should focus on?
- Richard Charter stated the tackle test is important to go first. He would support extending the working group.
- Bob Wilson asked, do you have this time accounted for in your overall work plan?
- Maria Brown replied, yes, it is consistent with the maximum amount of time Karen could adjust her work plan.
- Richard Charter asked if anyone had any amendments?
- Brittney Steward stated there should be a triage plan. What goes when you run out of the time you have allocated?

The council agreed to move forward with this plan, with the recommendation of creating a “triage plan” also.

Offshore Oil Drilling

Richard Charter stated President Bush had the opportunity to lift the Outer Continental Shelf (OCS) ban on oil drilling. In July, he removed executive protection of the outer coast. He also altered an action taken by President Clinton in 1998, which stated national marine sanctuaries were protected for an indefinite period of time from offshore drilling. The press release stated

that sanctuaries were protected from then forward. Bush restated this as sanctuaries are protected for an indefinite period of time, which means protection can be lifted at anytime. The GFNMS designation document precludes offshore drilling. The second layer is the management plan, the recent plan does continue protection from offshore drilling. As of October 1st, outside of marine sanctuary waters, there is no protection for any federal waters. This won't stand though because most of the candidates that were for drilling did not win. Some protection of the OCS will happen. He has been asked by members of the Monterey Bay Sanctuary Advisory Council to help prepare a resolution and would like to bring forward the resolution to this council.

Discussion on Resolution

- Dorris Welch asked if “will inevitably damage:” was too strong of language? Can it be changed to “which will damage,” and strike inevitably?

A resolution outlining the critical need to reinstate the previous legislative Outer Continental Shelf moratorium was approved with the following changes:

- “Will inevitably damage” was changed to “will damage.”

The final resolution is available at <http://farallones.noaa.gov/manage/sac.html>

Motion- Barbara Emley, Maritime Activities/Commercial

Second- Bruce Bowser, Conservation Alternate

Motion carried unanimously

Advisory Council Business

Kelley Higgason, GFNMS Advisory Council Coordinator reported on the following:

Working Group Guidance

Guidelines for establishing and maintaining a working group were provided to members. The council adopted the new working group protocols with no changes.

Motion- Barbara Emley, Maritime Activities/Commercial

Second- Dominique Richard, At-large/Sonoma and Marin

Motion carried unanimously

Adopt Advisory Council Work Plan

The final adoption of the work plan will be tabled until the April 2009 meeting, due to not having a quorum at this time.

Discussion

Maria Brown stated the following:

- We are waiting for the executive committee to forward their recommendations for the open council seats.
- Change Tomales Bay working group sunset to April 2009.
- We will hold the Greening working group meeting around February and Chris Powell has offered to be the chair. This working group will be staffed by Kate Bimrose, Brian Johnson, and Kelley Higgason.

- We will add the climate change site scenario working group.
- In April we will discuss the Esteros and San Francisco Bay Exemption Area working groups.
- We will discuss the Half Moon Bay Visitor Center at the February joint council meeting. We will be requesting a joint action to recommend a working group for this.
- Brenda Donald stated we could potentially sunset the Exemption Area working group. We don't necessarily still need this group. She will give a report on the final product at the April meeting.
- Richard Charter stated the Estero Americano mouth is staying closed and there are bad conditions in the waterway. There is also a massive rock quarry going in. He feels there are enough issues in play to keep the working group. The issues are still there, but whether there is the private sector volunteer capacity, he doesn't know.

Dan Basta's request to councils (national forums)

Dan has asked each council to identify national forums and key players with whom the Office of National Marine Sanctuaries could collaborate to address the marine conservation problems the nation confronts, and in addition, ideas on a strategy on how to proceed with each group.

Discussion

- Brittany Steward stated some of the other west coast sanctuaries suggested the Department of Education, National Science Teachers Association, Coast Guard Headquarters 5314. We should think about what agencies and organization are in D.C. so they can meet in person.

The council members present suggested the following: the National Marine Educators Association, Oceana, Ocean Conservancy, and the National Fish and Wildlife Foundation.

>>Action - Kelley will send an email to the council members to see if those not present have any additional suggestions.

Determine 2009 meeting locations

2009 Upcoming Meetings

- February 12, 2009- joint GF/MB meeting, Half Moon Bay
- April 16, 2009, Point Reyes, Pacifica
- August 13, 2009, Pacifica, Point Reyes
- October 29, 2009- Council Retreat, location TBD
- December 10, 2009, San Francisco

Note: the council retreat was changed from 10/8 to 10/29 with the location TBD.