



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

Pedro Point Firehouse
1227 Danmann Ave., Pacifica, CA
9:00 a.m. – 3:00 p.m.
Thursday, April 16, 2009

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 Vice-chair, Barbara Emley, called the meeting to order at 9:15 am.

Roll Call

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
Peter Grenell	Maritime Activities/Commercial Alternate
Mick Menigoz	Maritime Activities/Recreational
Dominique Richard	At-large/Sonoma and Marin
Jonathan Stern	Research Alternate
LTJG Brittany Steward	United States Coast Guard Alternate (non-voting)
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

Copies to/Absent:

Secretary Linda Adams	California Environmental Protection Agency
Brian Baird	California Resources Agency
Bruce Bowser	Conservation Alternate
Bob Breen	Education
Richard Charter	Chair/Conservation
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
Marc Gorelnik	Maritime Activities/Recreational Alternate
Dan Howard	Cordell Bank National Marine Sanctuary
John Largier	Research



Paul Michel	Monterey Bay National Marine Sanctuary
Chris Powell	National Park Service Alternate
Pat Rutten	National Marine Fisheries Service (non-voting)
Amy Vierra	California Resources Agency Alternate

Review Agenda:

The agenda was approved with no changes.

Approval of Prior Notes:

The December 11, 2008 meeting notes were approved with no changes.

Motion: Bob Wilson, Conservation

Second: Peter Grenell, Maritime Activities/Commercial Alternate

Motion carried unanimously.

Reports

Member Reports

- Peter Grenell, Maritime Activities/Commercial Alternate, stated at the end of the month, the Army Corps of Engineers will be completing the initial assessment for collaborative projects for erosion at Surfers Beach. We will then move to convene a working group as a way to ensure adequate participation from the sanctuary and the community. Also, Pillar Point Harbor may be a location for the Half Moon Bay Visitor Center.
- Pat Conroy, At-large/San Francisco and San Mateo Alternate, stated he attended the Half Moon Bay Visitor Center meeting and will defer his comments to Bob Breen's working group update.
- Mick Menigoz, Maritime Activities/Recreational, stated he was in Mexico all winter.
- Brenda Donald, At-large/San Francisco and San Mateo, had no report at this time.
- Jon Stern, Research Alternate, had no report at this time.
- Dominique Richard, At-large/Sonoma and Marin, stated he will report on Tomales Bay later. There has been some consideration of the oyster farm at Drakes Bay relocating to Tomales Bay, and he is curious of what the sanctuary's position is. He attended the Oiled Wildlife Care Network training and went to the CAERS conference where there were a few papers on Tomales Bay.
- Robert Frischmuth, Monterey Bay NMS Liaison, stated that since the joint meeting there has not been a lot of new info, but the Monterey Bay Advisory Council will be meeting tomorrow and he will be updated then.
- LTJG Brittany Steward, U.S. Coast Guard Alternate, introduced LT Elisa Garrity who will be taking over for Brittany temporarily while she is out on maternity leave until July (she will be at Brittany's number). She also introduced LT Rene McKinnan, who may be able to provide some information on the vessel at San Mateo Bridge. Matt Pickett is conducting flight training with the San Francisco coast guard station on May 7th. It will be on sanctuary patrols – what to look for, what are red flags to spot. The Coast Guard is looking at the death of whales along the California coast. There have been 3 dead fin whales and 2 gray whales from ship strikes. There is a plan in the Channel Islands but nothing in the north. The Coast Guard can't regulate speed limits.

Discussion:

- Brenda Donald stated we should possibly put this on a future agenda to discuss speed limits.
- LTJG Brittany Steward stated it would be a voluntary speed restriction (NOAA can request this). The International Maritime Organization runs all of this.
- Maria Brown asked who do we contact?
- LTJG Brittany Steward replied Channel Islands National Marine Sanctuary produced a plan using a working group. This was sent up the NOAA chain. We can use this plan as a template.
- Barbara Emley asked if the vessel spills working group could address this?
- Maria Brown stated no, they would only deal with response.
- Brenda Donald stated we should invite Jackie with Sea Flow to the next meeting.
- Maria Brown stated U.C. Berkeley is doing a study with the navy on how to avoid whales. We could request a presentation.
- Barbara Emley asked if any humpback whales have been hit? Humpback whales are rarely entangled when others are. It seems they have a different way of paying attention.
- LTJG Brittany Steward stated not in the last 6 weeks.
- Barbara Emley stated she heard a talk on the topic of speed. When asked if ships could slow down through a group of fishing boats, the answer was if a ship hit a boat, killed two people, the boat sank, and it was their fault, it would cost less to reimburse for that than to slow down.
- Brian Johnson stated Channel Islands National Marine Sanctuary has a process for asking for voluntary speed limit reductions, but it has had no impact on slowing down the ships.
- LTJG Brittany Steward replied a graduate student found some would and some wouldn't. At the Port of Los Angeles if you slow down you get money off of your docking fee. It is hard to slow down with all the timelines though.

Member Reports cont.

- Bob Breen, Education stated public comment on funding for the north-central coast MLPA was held. There is \$9 - 42 million available to implement and enforce the protected areas. There were about 39 members of the public who spoke, mostly to the issue of funding. A lot of the research may be done by graduate students.
- Bob Wilson, Conservation stated at the California Fish and Game Commission hearing sport fishing industry said the state shouldn't proceed with MLPA implementation without the budget to do it. The money isn't state money though, and much of it is work currently being done by others. Karen Reyna testified federal funds are available for buoys. The Monitoring Enterprise is tasking scientists to come up with a simpler way to monitor the reserves using key indicator species. There are also many citizen monitoring groups. Everyone is looking toward adaptive management. Hearings on the final zones will be May 14th. Terri Watson is doing a great job as the FMSA Executive Director. The Marine Mammal Center is in a new facility, and they do necropsy work on ship strike whales. We may want to consider shipping lanes for oil spill response. Every ship strike is not fatal at impact, so it is difficult to determine the time of death.

Discussion

- Brenda Donald stated they have moved the lanes previously.
- Jon Stern is working with a group that is tasked to look into ecosystem modeling. The software is built, but they need to collect the appropriate data sets. It is a powerful way to look at the efficacy of MPAs. He knows the people who built the software.

Member Reports cont.

- Barbara Emley, Maritime Activities/Commercial, stated last year at this time a lot of people were still crab fishing. This year the price went way up, but buyers are begging people to go crabbing. There are just not enough. There will not be a salmon season again. Barbara does not believe catch shares are a solution to fishing issues. She feels it leads to consolidation of the fisheries and bigger operations. There won't be a conservation benefit. It is harmful to small family fishermen. Catch shares privatize fish in the ocean. The thought is if the fishermen owns his fish, he will take better care of them. Instead it will lead to ownership issues as has happened in other countries. When the Iceland banks collapsed catch shares were used as collateral for loans, which was more than could be available in 10 years of fishing.

Discussion

- Bob Wilson stated the head of NOAA just gave a speech in favor of it.
- Barbara replied Lois Capps is in favor also. The Pacific Fisheries Management Council just voted to do this for the west coast groundfish fishery. This has ruined small fisheries in other countries. There were supposed to be accumulation limits, but this hasn't happened. In New Zealand all the fish are owned by six companies. People can't buy local fish, because the six companies export it all.
- Peter Grenell asked are there community fishing associations that could get shares?
- Barbara replied these could be formed and get allocations of groundfish, but they decided not to give them initial allocations. You would have to buy a trawler to get that catch share. It is the same as Individual Fish Quotas (IFQs).
- Jon Stern asked if IFQs were originally for crab fishing?
- Barbara replied yes, and halibut. Each is different, it was terrible for the crab fishermen. If you don't have personal history, you must buy a certain quota, putting houses as collateral to buy the quota. Then the management council cut down on how much you could catch.

Working Group Reports

Green Operations Working Group

Brian Johnson, GFNMS Deputy Superintendent reported the following:

- March 17, 2009 was the kick-off Green Operations Working Group meeting.
- Working group members include: the San Francisco Department of Environment, a green architecture firm, the Presidio Trust's Sustainability Coordinator, Golden Gate National Recreation Area's Sustainability Coordinator, and Chris Powell (working group chair), Brenda Donald, and Bob Wilson from the Advisory Council.
- The focus is to develop the Green Operations chapter of the Ocean Climate Initiative Action Plan by the August 2009 Council Meeting.

- There are four topical areas: Transportation, Energy Use, Water Use, and Waste Management.
- The hope is that the chapter will be forwarded to the national program for adoption.
- We are working on the energy (PG&E), waste (SF), and transportation (NPS) audits in order to generate a more accurate baseline of our current usage. We will reference these levels at our next meeting to determine an appropriate objective that is measurable.
- The next meeting is April 30, 1-4pm, at the sanctuary office in the Presidio.

Half Moon Bay Visitor Center Working Group

Bob Breen, working group chair, reported the following:

- Bob thanked Carol Preston for a tremendous job at coordinating the April 6th meeting. The group met at the Half Moon Bay Chamber of Commerce. There were 12 stakeholders from the area.
- The GFNMS management plan authorizes and identifies the San Mateo County coast as a site for a visitor center. There is amazing biodiversity and oceanography. The visitor center will highlight the unique natural, biological and cultural history of the area.
- The group was a mix of educators, fishermen, the harbor, a developer, and the director of the Half Moon Bay Chamber of Commerce. We identified a number of exhibit and program concepts. The next meeting is May 11th.

Discussion

- Brenda asked if sites have been identified yet, could the old Chart House be a possibility?
- Bob replied we will compile concepts at the May 11th meeting, and present this to the public in October. Most of the group is leaning toward Princeton as the site. The Chart House has been discussed though along with another old restaurant.
- Barbara stated it would be good to get it close to the harbor.
- Jon stated there are educational global climate change models that you just need a lap top for and you can focus on specific locations and see what might happen there.

Superintendent's Report

See Maria Brown, Sanctuary Superintendent's, 2nd Quarter Report (attached).

Discussion regarding Management Plan Regulations

- Brittany asked if search and rescue was exempted from the overflight zones and has the FAA said anything about the charts.
- Maria replied yes it is exempted, we are working with the FAA to place the zones on the charts. The regulations will be published in the federal registrar for 30 days. For Dream Machines we are working with the airport, event organizers, etc. to have a zero disturbance event. The invitation to event says this and there will be enforcement officers.
- Brittany asked if everything goes smooth, when will the FAA change the charts?
- Maria replied she is not sure when they will change it.
- Pat asked if the jet ski regulation was in effect at Mavericks?
- Maria replied yes, and Mavericks Surf Venture (MSV) applied for a permit. We have extended the period through March, MSV asked to extend into April. At that point we

said no, because April is one of the most sensitive times for wildlife. MSV was very understanding and wanted to protect the environment ultimately, The sanctuary replied MSV could extend into November.

- Barbara stated Marc Gorelnik approached her about issues with the regulations. He is a lawyer and says the regulations make it that you couldn't use a chicken as bait in a crab trap, because it is a non-native species. You are also able to discharge, but if you are catching albacore outside sanctuary waters and cleaning them inside the sanctuary you can't discharge. Barbara would like to set up a meeting to discuss this.

Not included in attached report:

FY09 Budget

- Maria thought she would have this to share, but we are not getting it until Wednesday. She has heard it doesn't look good. Dan Basta wants to sit down with the superintendents and explain the cuts.

Permitting Update

- San Francisco Bay National Wildlife Refuge Complex - Annual Aerial Surveys for Seabirds and Waterfowl
- Marin County Open Space - Bolinas boom testing and deployment practice
- Mavericks Surf Ventures - denied permit extension into April
- Two superintendent's permits (to ourselves)
- Bolinas tide gauge installation
- Bodega Marine Laboratory, UC Davis - Assessing crab population connectivity along the northern California coast using trace element signatures of soft tissues: a new approach
- Permit applications can be found on the GFNMS website.

Enforcement

- Dayna Matthews is organizing an Enforcement Technical Advisory Committee meeting.

Discussion

- Brittany stated this group is a powerful tool. It is not open to public, but it has been a strong part of CINMS. The group looks at safety, enforcement, cooperation, etc.
- Brenda stated there were jet skis at Montara before the regulations came out. She called in and got a run around. The NOAA number sent her to someone else, then she saw the sheriff drive by. She also got a phone call from state parks saying they were too busy to go investigate. It seems the public should be involved with enforcement because they are passionate about it particularly for jet skis. The sanctuary should get people involved in a more productive way.
- Brittany replied these groups are working on better coordination, phone trees, etc. They have asked to be on the agenda at council meetings to address public concerns.

Public Comment

Kellyx Nelson, Executive Director, San Mateo County Resource Conservation District provided the following comments:

The San Mateo County Resource Conservation District is a non-regulatory special district in coastal San Mateo County. We are resource conservationists that work with private landowners and public agencies. They have recently completed a watershed management plan for Pillarcitos Creek Watershed. They are also involved in Total Maximum Daily Loads regulations, public outreach, and sediment delivery to preserve spawning habitat for steelhead and coho. They are working on Pillar Point Harbor to determine sources of pollution, but this is frozen until bond money is released. They are also working on best management practices with ranchers, farms, and landowners.

George Clyde, community member, provided the following comments: He will be sailing around the Farallon Islands on Saturday. He is the vice-chair of the Cordell Bank National Marine Sanctuary Advisory Council and is going to Alpena, MI for the Advisory Council Summit. He also serves on the on the Tomales Bay Vessel Management Working Group.

Tomales Bay Vessel Management Plan

Dominique Richard, working group chair, and Karen Reyna, Acting GFNMS Resource Protection Coordinator provided the following update:

- A working group meeting was held Feb 3rd and the last meeting will be on April 29th.
- Karen presented the GIS decision support tool for Tomales Bay.
- Topics for the next working group meeting include historic mooring zones, maximum number of moorings allowed, and preliminary results of the tackle pool test. Recommendations will be presented to the council at the August meeting.
- For the tackle pool test, the contract has been secured.
- We have released the responses to public comment. Over the last year the sanctuary worked with 8 federal and state agencies to get the responses signed off. There are hard copies here, and it is also posted on our website.
- At the next council meeting, members will get a packet with working group recommendations, a summary of sanctuary actions and updates. Council action will be requested on the final set of working group recommendations.

Discussion

- Peter asked what about derelict and abandoned vessels?
- Karen replied surveys are done every other year. If vessels are found, we report it to the county and they follow up.
- Maria stated they have done a good job of removing vessels. They have removed several vessels over the last few years. The state gives them money, and we have given 10% through funds for derelict vessels. The sheriff has now tagged boats to have registered now or removed.
- Barbara asked if there is a boat on every mooring?
- Karen replied no, in the GIS database you can click on each mooring and they are categorized in terms of boat mooring, channel marker, post, etc.
- Pat asked how many are lost on the bottom?
- Maria replied that is a research question we have.
- Karen stated one recommendation of the seagrass panel is to do side scan sonar.

Ocean Climate Initiative

Kelley Higgason, Ocean Climate Initiative Coordinator, GFNMS, gave a presentation that is available at: <http://farallones.noaa.gov/manage/sac.html>.

Discussion

- Jon stated he liked the site scenario format. It is lacking information on cetaceans though.
- Kelley replied the next revision will be more complete. We will be pairing down some of the information and creating an Executive Summary.
- Brenda stated this was a good job of coordinating.
- Jon asked if we will have links to PDFs of the citations?
- Maria replied we have to be careful of putting journal articles on the website due to copyright issues, but we could have links to the journal sites.
- Brittany asked what about local plate tectonics?
- Maria stated this will be added.
- Kelley stated we will also add information on El Niño, Pacific Decadal Oscillation, etc. and more on temperature.
- Bob Breen stated mud flats could be a sub feature of estuarine habitat. It is a distinct ecosystem. The Channel Islands report did a nice job on the summary equation for ocean acidification, and broke it into intermediate steps that explained why the shells dissolved.
- Kelley stated we should look at that report and see what we could use.
- Jon stated it would be good to have a sentence on why “Climate Change” and not “Global Warming.” That climate scientists don’t have a consensus is wrong, the issue is the rate of change. Organisms are not adapted to deal with fast rates of changes.
- Kelley stated that since 2003 the ocean temperature has been cooling, it is hard for the general public to understand long-term trends.
- Jon stated climate change impacts need to be looked at in a regional way.
- Maria stated our concern is the extreme events, bigger extremes that cause die offs.
- Bob Wilson stated averages don’t take into account “tipping points.”
- Kelley stated we have some options, the document will go through an external peer review, the council could recommend it to be finalized and released to the public after this, or Cordell Bank has a Council meeting in June. You could call in and give your final approval then.
- Bob Wilson stated he felt confident that the document could be released to the public without additional Council review after going through peer review.
- Jon and Brenda stated they agreed.
- Maria stated we will continue to keep the Council updated on its progress.

Motion to approve the Draft GFNMS/CBNMS Climate Change Site Scenario document and release the final draft to the public once it has gone through the peer review process:

Motion – Bob Wilson, Conservation

Second – Jon Stern, Research Alternate

Motion carried unanimously



Advisory Council Business

Discussion on Seabird Protection Network (SPN) Coordinated Management and Enforcement, San Francisco Exemption Area, and Esteros Working Groups:

San Francisco Exemption Area

Brenda Donald, Community At-large/San Francisco and San Mateo gave a presentation that is available at: <http://farallones.noaa.gov/manage/sac.html>. Her recommendations include:

- Keep an eye on the donut hole because what happens here will affect the sanctuary.
- It could become an “industrial park” off of San Francisco for alternative energy.
- Research; Review and Advise; Educate and Inform; Commit to Resolve in the interim and the long term.
- Sunset the Ad Hoc Committee.

Discussion

- Pat stated the original driver was the combined sewer system, but this is against sanctuary regulations. In the future it will be ocean energy issues.

Motion to sunset the San Francisco Exemption Area Working Group:

Motion – Brenda Donald, Community At-large/San Francisco and San Mateo

Second – Bob Wilson, Conservation

Motion carried unanimously

Seabird Protection Network Coordinated Management and Enforcement

- Maria stated Dayna Matthews has now joined the Advisory Councils as an enforcement advisor. He wants a Technical Advisory Committee (TAC) for all enforcement agencies in the region to produce an enforcement plan. We felt the two are duplicative and are suggesting to just have the TAC at this time.

Motion to sunset the Seabird Protection Network Coordinated Management and Enforcement Working Group and focus on the Enforcement Technical Advisory Committee:

Motion – Bob Wilson, Conservation

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

Motion carried unanimously

Esteros

This discussion will be tabled because Richard Charter is not present.

2009 Advisory Council Work Plan

Comments/updates to work plan:

- Working group expiration dates were updated
- Seabird Protection Network outcome was updated to read the Coordinated Management and Enforcement Working Group was sunsetted and a TAC was established.

- It was noted we will soon need to look at alternative energy and the sanctuary.
- Resource Protection – add Enforcement – updates, discussion, input on sanctuary enforcement plan
- MLPA – final state package will be released August 2009.
- Can ship strikes be added to the Vessel Spills Working Group? The group can talk about this at the first meeting.
- Barbara stated the joint Advisory Council meeting was established because there was some contention. Maybe we don't need it any more. She felt this meeting used up time, not allowing our own council to tend to it's own issues.
- Brenda stated she felt the last meeting actually saved time, i.e. one presentation to both councils on ocean acidification.
- Maria stated we also discussed ocean energy and encouraged the Monterey Bay Council to take action on items they may not have otherwise.
- Mick stated Cordell Bank could have benefited also. We could do a meeting with mutual benefit to all three sites.
- Bob Wilson stated we did do the management plan review together and have cross cutting issues.
- Robert stated the superintendent from Cordell Bank should be there at least.
- Bob and Robert will bring this up tomorrow at the Monterey Bay meeting. Potentially expand the joint meeting to Cordell Bank and discuss cross cutting issues.
- A possible action at a meeting of all 3 sites could be the approval of the regional education plan.

Motion to adopt Advisory Council Work Plan:

Motion – Barbara Emley, Maritime Activities/Commercial

Second – Bob Wilson, Conservation

Motion carried unanimously

Recruitment

- Maria stated the Executive Committee was reviewing applications. Kelley will resend these to the committee and by the August meeting we will have a recommendation.

2009 Sanctuary Advisory Council Summit Agenda

- Kelley briefed the Council on the national summit agenda. The summit is scheduled for May 4-7th in Alpena, MI. Richard and Kelley will be attending.

Council Retreat Location

- Bob Wilson suggested The Marine Mammal Center. Their new facility opens June 2009.
- Bob will check to see if we can hold the retreat here.

Potential topics discussed include:

- Marine mammal health
- Ship strikes

- Ocean energy – reports on current projects, cost benefit, how much energy do you get, how do they hold up, etc.

NOAA Twin Otter Aircraft

Matt Picket, ONMS Aviation Operations Coordinator, gave a presentation that is available at: <http://farallones.noaa.gov/manage/sac.html>. The focus of his talk was on how sanctuaries have used aircraft historically and how we can use them in the future for resource protection and management.

Discussion

- Maria asked can you include Point Arena to Año Nuevo for the GFNMS/CBNMS flights?
- Matt replied he will be working with the research coordinators to finalize the flight plans.
- Bob Wilson asked what would you survey?
- Matt replied they would collect as much information as possible: birds, mammals, marine debris, etc. It will depend on what the sanctuary wants.
- Bob Breen asked if they will be working with Cal Fish and Game to help enforce the MLPA?
- Matt replied yes, in Monterey.
- Bob Breen asked can you combine wildlife survey flights and enforcement?
- Matt replied is possible, but it is good just to have a presence.
- Bob Wilson asked if this will have the same capability as NMFS marine mammal surveys?
- Matt replied we will be partnering to use a Southwest Fisheries Science Center camera.
- Jon asked where are the funds coming from?
- Matt replied base funds from NOAA for a two-month trial period. He is hoping to continue with base funds, or the sanctuary program can pay for the flights but that is probably not realistic.
- Maria stated John Largier was interested in the use of this airplane by researchers.
- Jon stated you miss many patterns on ships. You can find concentrations of whales and make oceanographic measurements. He would need to talk with John more. Sampling from the air would be great for red tides, oil spills, etc. You can maximize your effort over the course of a day.
- Bob Wilson stated this would solve a lot of enforcement problems, such as special closures and reserves. There are also gaps in marine mammal coverage.
- Brenda asked what kind of action will it take to secure use of the aircraft?
- Maria stated right now we don't have any guaranteed time.
- Bob Wilson stated we should urge ONMS to devote resources to this and that he could draft the letter.
- Maria asked if other councils have written a letter?
- Matt replied you are the first, but we will be presenting to the other councils as well.

Motion for Bob Wilson to draft a letter on the need for NOAA base funding for the Twin Otter aircraft on the west coast and for the use of the aircraft in GFNMS. The letter will be sent to Dr. Lubchenco with Admiral Baily cc'd.



Motion – Brenda Donald, Community At-large/San Francisco and San Mateo

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

Motion carried unanimously

2009 Upcoming Meetings

- August 13, 2009, Point Reyes
- October 29, 2009- Council Retreat, The Marine Mammal Center, Sausalito
- December 10, 2009, San Francisco