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At-Large Marin/Sonoma
Dominique Richard/ Richard Keuhn

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California Resources Agency
Catherine Kuhlman/ Clare Waldmann

Conservation
Bob Wilson/ Jackie Dragon

Conservation
Richard Charter/ Bruce Bowser

Education
Elizabeth Babcock/ Bibit Traut

Maritime Activities/Commercial
Barbara Emley/ Peter Grenell

Maritime Activities/Recreational
Mick Menigoz/ George Clyde

National Park Service
Cicely Muldoon/Frank Dean

Research
John Largier/ Jaime Jahncke

United States Coast Guard
LT Joseph Giammanco/ LT Shannon Anthony

National Marine Fisheries Service
Pat Ruten/ Natalie Cosentino-Manning

United States Fish and Wildlife Service
Anne Morkill/ Gerry McChesney

National Marine Sanctuary Representatives:

Channel Islands
Chris Mobley/ Mike Murray

Cordell Bank
Dan Howard/ Michael Carver

Gulf of the Farallones Superintendent
Maria Brown

Monterey Bay
Paul Michel/ Dawn Hayes

Officers:
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Dominique Richard

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Barbara Emley

Sanctuary Advisory Council

GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY

FINAL RESOLUTION 5/1/14

Resolution of the Gulf of the Farallones National Marine Sanctuary Advisory Council Regarding the Draft Environmental Impact Statement (DEIS) and Proposed Rule on the Expansion of the Gulf of the Farallones National Marine Sanctuary Recommending Further Review and Revision of the Proposed Additional Authorization of Federal, State or Local Actions for Activities Otherwise Prohibited.

Whereas, the Gulf of the Farallones National Marine Sanctuary Advisory Council (GFNMS SAC) has reviewed and duly considered the Draft Environmental Impact Statement and the Proposed Regulations associated with the anticipated boundary expansion of the Cordell Bank and Gulf of the Farallones National Marine Sanctuaries; and

Whereas the GFNMS SAC (the Advisory Council) has generally supported the sanctuary boundary expansion to enhance local economies based on healthy ocean ecosystems and to protect the ocean upwelling system that provides the food source for much of the marine life within the existing Sanctuaries; and

Whereas the existing regulations of the sanctuary allow permits to be issued for certain activities which would violate the regulatory prohibitions in the site's regulations if the Director finds that the activity will:

- (1) Further research or monitoring related to Sanctuary resources and qualities;
 - (2) Further the educational value of the Sanctuary;
 - (3) Further salvage or recovery operations in or near the Sanctuary in connection with a recent air or marine casualty;
- or
- (4) Assist in managing the Sanctuary.

Whereas NOAA is proposing to add to the Sanctuary's regulatory authority a new power to authorize certain activities which are prohibited within the Sanctuary as long as those activities are permitted or licensed by another federal, State agency or local agency.

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Whereas, under this new authority, the activity would not have to fit within the categories of activities set forth above for which a sanctuary permit may be obtained today.

Whereas, the Advisory Council hereby finds that:

- This proposed new authority goes beyond the geographic sanctuary boundary expansion proposal; and was not discussed during public scoping hearings;
- The proposed new authority in the Proposed Regulations was not previously included in the prior legislative history leading to the current NOAA sanctuary boundary expansion proposal;
- The proposed new authority can allow discretionary approval of explicitly-prohibited activities without adequate public notice or opportunity for public comment before the activity is authorized;
- Any authorizations of explicitly-prohibited activities under the new authority deserve public notice and the opportunity for public comment prior to any such authorization being made.

Therefore, be it resolved, that the Advisory Council hereby asks that the additional authority be eliminated from the Proposed Regulations and that these sections be deleted from the Proposed Regulations.

Adopted, this first day of May, 2014.

