



**GREATER FARALLONES NATIONAL MARINE SANCTUARY**  
**ADVISORY COUNCIL MEETING**  
 Thursday, November 19, 2020  
 9:00AM – 1:30PM  
 Virtual via Google Meet



**MEETING HIGHLIGHTS**

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

Copies to: Bill Douros, Office of National Marine Sanctuaries, West Coast Regional Director

**Call to Order: Roll call**

Meeting called to order at: 9:00am

VOTING MEMBERS: 12 present (quorum met)

At-Large Marin: Dominique Richard (Chair)	Education: Bibit Traut
At-Large Mendocino/Sonoma: Cea Higgins	Maritime Commercial Activities: John Berge
At-Large SF/San Mateo: Joe Fitting	Maritime Recreation Activities: Abby Mohan (Vice Chair)
California Resources Agency: Michael Esgro (for Mark Gold)	National Parks Service: absent
Commercial Fishing: Barbara Emley (Secretary)	Research: Jaime Jahncke (for John Largier)
Conservation: Bruce Bowser	U.S. Coast Guard: LTJG Chris Bell
Conservation: Richard Charter	U.S. Fish & Wildlife Service: absent

ALTERNATES PRESENT: 7 present

At-Large Marin: George Clyde
At-Large Mendocino/Sonoma: Nancy Trissel
At-Large SF/San Mateo: Kris Lannin Liang
Commercial Fishing: Sarah Bates
Conservation: Francesca Koe
Conservation: Kathi George
Maritime Commercial Activities: Julian Rose

NON-VOTING MEMBERS: 4 present

Channel Islands NMS: absent
Cordell Bank NMS: Dan Howard
Monterey Bay NMS: Kevin Grant
National Marine Fisheries Service: Jennifer Boyce
Youth Primary: absent
Youth Alternate: Owen Youngquist

GFNMS staff present: Maria Brown, Superintendent; Brian Johnson, Deputy Superintendent; Alayne Chappell (Affiliate), Advisory Council Coordinator; Olivia Johnson (Affiliate), Administrative Assistant; Karen Reyna, Resource Protection Coordinator; Max Delany, Permit Coordinator

Other NOAA staff present: Daniel Glick, Office of Law Enforcement

### **Welcome, Roll Call, Review Agenda**

[View Full Meeting Presentation](#)

### **SAC Business**

Alayne Chappell, SAC Coordinator

### **MOTION: Approve August meeting highlights**

Vote: 11 yes, 0 no, 1 abstain

Motion passes.

The comments from the SAC retreat have been incorporated into the FY21 SAC Work Plan that was distributed via email to the SAC.

Two SAC subcommittees (the Diversity and Inclusion Subcommittee and the Recreation and Tourism Subcommittee) are actively meeting and will plan to update the SAC on their progress and bring their recommendations to the full council in 2021.

### **Greater Farallones National Marine Sanctuary Superintendent's Report**

Maria Brown, GFNMS Superintendent

[View presentation](#)

### **GFNMS Operations**

Sanctuary staff will continue working from home under mandatory Covid-19 telework City of San Francisco order. We moved to Phase 1 of re-entry to sanctuary offices (one person per floor at a time) but we may need to go back to Phase 0 if there is a county advisory. Either way, the sanctuary facilities and Visitor Center remain closed to the public.

### **Conservation Science**

GFNMS staff participated in the October 2020 *E/V Nautilus* cruise remotely to survey Pioneer Canyon. We were pleased to find extensive corals in the areas. We will share footage of what we found at an upcoming meeting.

98% of Beach Watch surveys are now active again under Covid-safe conditions including social distance or one household surveyors.

Our LiMPETS Program Coordinator, Rosemary Romero, has been honored as the Western Society of Naturalist's Naturalist of the Year!

### **Online Education**

Fall online school programming reservations filled up quickly with a lot of interest; staff have set up a studio in the pier classroom for streaming lessons. Online public programs allow us to reach a broader audience. Virtual Sharktoberfest was attended by around 1,200 people from 10 different countries via YouTube in September; the recording continues to be viewed (currently around 3,000 and growing). The Virtual Humpback Whale Soirée was attended by 600 participants.

### **Resource Protection**

More than 400 pilots attended the Seabird Protection Network's most recent virtual presentation that highlighted marine wildlife, national marine sanctuaries, and wildlife protection regulations. This was the first of two presentations and will be followed by additional outreach at the beginning of the 2021 seabird breeding season.

Despite not being able to bring volunteers to Bolinas Lagoon this year due to Covid-19, staff were able to remove over 5,000 invasive green crabs from Seadrift Lagoon. As in years past, all crabs were donated to Gospel Flat Farm in Bolinas, helping bring important nutrients back to the soil.

In September, the program began surveying kelp canopy using unmanned aerial vehicles at the sites identified in the Sonoma-Mendocino Kelp Recovery Plan. The surveys are coordinated with The Nature Conservancy, the NOAA-funded Coastal and Marine Ecosystems Program, and several academic partners. Visual observations show kelp canopy at several sites where it was not present last year.

Staff presented at the Western Society of Naturalists virtual conference in mid-November on Socioecological perspective on kelp forest recovery and encouraging talks from members of coastal communities, fishermen, and Tribal nations on experiences and connections to kelp.

### **Permits**

Maria showed the permit slides. The slides were distributed before the meeting for members to review.

*No questions or comments on permits from SAC members.*

### **Sanctuary Enforcement Update**

Max Delaney, GFNMS; Daniel Glick, NOAA Office of Law Enforcement (OLE); LTJG Chris Bell, USCG

[View slides](#)

#### Recent Enforcement Activity

Max Delaney

1. Capsized Sailing Vessel in Bodega Bay
  - a. Date of Incident: 9/20/2020
  - b. Status: No further action from GFNMS; Referred case to OLE

The vessel drifted onto rocks at Estero de San Antonio with no engine or fuel on board. This is a highly inaccessible area; the vessel is not accessible, and we are unable to confirm the status of debris from the boat.

*George Clyde: If the owner is not insured, does that mean the owner is free of any responsibility?*

*Max: We want to work with the responsible party to take ownership and responsibility. We refer to OLE to determine if there is negligence or malicious intent. In a case where it's a pure accident it's difficult to get action against them. There's a threshold on negligence and damages to the sanctuary. In this case it was a small vessel with no fuel.*

*Cea Higgins: Did they attempt to access it from the Dillon Beach neighborhood that has a path to the Estero?*

*Max: They tried to get access to bring a vehicle, but we were not given access by the owner.*

*Karen Reyna (in the chat box): Penalty schedules to determine how to pursue a penalty. Please see: <https://www.gc.noaa.gov/enforce-office3.html>*

## 2. Panga Grounded at Pescadero State Beach

- a. Date of incident: 11/14/2020
- b. Status: USCG and CA State Parks cleaned up the beach and Homeland Security CBP seized the vessel

The USCG and State Parks responded. There were drugs found on the vessel so NOAA OLE will refer the case to Homeland Security. An estimated 600 gallons of fuel was on board; it's unclear how much was released.

### OLE Update

Daniel Glick

Each incident of vessels and aircraft going down in the sanctuary is different and each case is different, it's a process between law enforcement and the sanctuary. If there is obvious negligence or the scope and scale of the damage won't be cleaned up with cooperation of the responsible party, we will take action from there but if it was an obvious accident, we don't want to pursue a harsh penalty.

I'm happy to present the new Supervisory Enforcement Officer, Kynan Barrios.

*Kynan Barrios: I'm looking forward to working with you all on important protection and enforcement in the sanctuary. My background is with the California Bureau of Land Management.*

### USCG Update

Chris Bell

We have a couple of cases to highlight. The patrol boat *USCGC Sockeye* issued a violation to a recreational salmon vessel for unauthorized gear in Bolinas Bay; issued a violation and seized

undersized salmon at Bodega Head. There were minor safety violations in both cases but nothing major; both vessels are allowed to continue operating. Aviation patrol completed standard patrol hours (144) for C27 fixed wing flights (over 22 flights). In preparation for Dungeness crab season, we received support from Air Station San Francisco to conduct rotary flights. They are collecting data on whale activity from Bodega to Monterey; noted pods of 10+ whales in GFNMS in October and we're trying to get more flights this week for an update.

### **Presentation: New Sanctuary Permit Dashboard Demo and Discussion**

Max Delaney, GFNMS; Sage Tezak, GFNMS Affiliate

[View presentation](#)

#### Presentation Highlights:

- The new GFNMS permit dashboard is a tool used to visualize locations of permitted actions issued within GFNMS, and the northern portion of Monterey Bay National Marine Sanctuary (MBNMS); and to measure the number and type of permits issued per quarter and/or annually.
- It is also an assessment tool to evaluate how many and what type of permits have been issued for a specific area.
- This is a qualitative tool and does not quantitatively measure cumulative impacts.
- The target audience includes SAC members & GFNMS staff.
- The plan is for it to be updated quarterly, just prior to SAC meetings.
- The initial build includes permits between 2014-2019.
- Permit denials, withdrawals, and applications under review are not included in the dashboard.
- Mapped areas are based on permitted locations, not reported activities.
- Multi permits included in the dashboard show permitted activities only in GFNMS and the northern portion of MBNMS.
- Approximate permitted shipwreck explorations are included in the dashboard as well.

*Sage presented a demonstration of how the dashboard works.*

#### *Q&A:*

*Kevin Grant: Has there been talk among permit coordinators for this to go national? It's beneficial to management, researchers, etc.; ONMS headquarters should endorse this for everyone.*

*Max: We've had discussions about this being useful on a national level for a while. We've been using an Osprey database to track our permits; it's not public facing, and it's not spatially visual. I know a couple other ONMS sites have built their own internal systems that are similar, but across the board people recognize the value of something like this dashboard. If it were to be national it would need to be kept updated. What Sage has done is really great and more advanced than what I've seen built so far. It's unclear if it will be taken up at headquarters level but we can let you know.*

*Barbara Emley: I've seen permits where people have to remove some type of equipment. Is there anything in this program that could show us whether or not there is equipment still there?*

*Max: Currently what this shows is just what we approve to take place, not what actually happens or what information we're gathering from the permit reports. We've had some discussions about including permitted activities, but this first pass doesn't involve that. We hope to capture that in the future.*

*Cea Higgins: Does it also provide the tenure of the permit?*

*Sage: Yes, there is a pop-up window that shows the effective date and expiration date, the permit affiliation, and a summary of the permit planned activity.*

*Richard Charter: Is there a way to see a pending permit that's in the progress of being considered before it's been issued?*

*Sage: Right now, no, but possibly in the future.*

*Max: That's challenging in the sense that project applications come to us, but the scope and scale of a project will change a lot as we work with the applicant, so we don't want to put information out there that is pre-decisional. Under National Environmental Policy Act (NEPA) requirements, we actually can't do that, the most concrete way to show useful information is to review the project and make sure it's consistent with sanctuary regulations.*

*Maria Brown: It wouldn't be appropriate to put pending applications on the dashboard. We can continue to provide the spreadsheet matrix to SAC on permits under review but it's pre-decisional and the information can change really quickly.*

*Richard: I think having the pending permits shown to SAC in the spreadsheet is very important still because we need to know what might be coming up.*

*Dan Howard: This looks awesome. It's really visually helpful; as a manager this is fantastic. We don't have the capability at CBNMS, but I look forward to working with GFNMS on some multi permits that extend through CBNMS.*

*Sage: We are aiming for mid-January to go public after we fine tune some things. Thank you for the nice comments!*

## **Monterey Bay National Marine Sanctuary Superintendent's Report**

Kevin Grant, MBNMS Acting Superintendent

[View presentation](#)

### **Education**

MBNMS staff hosted 16 live distance learning programs featuring the 2020 Nautilus Expedition with 387 students participating, reaching more students than we typically do because of the remote access nature of the program.

We kicked off of virtual distance learning programs. Five programs have been developed:

- Protect your Watershed

- Plankton Exploration
- Dive into Kelp Forests
- Deep Sea Discovery
- Sounds in the Sanctuary

### **Research**

Staff completed a deep-sea research expedition in MBNMS with *E/V Nautilus*

- Data gathered to characterize and identify sensitive seafloor areas of Pioneer Canyon off the San Mateo coast
- Observed thousands of octopus brooding eggs near Davidson Seamount – experienced weather delays and equipment issues
- Whale fall discovered in 2019 revisited

### **Resource Protection**

- Open Farm Tour virtual presentation on plastic in agriculture
- Team OCEAN hits the water with new COVID precautions
- Whale Entanglement Risk Assessment & Mitigation Program (RAMP) begins for upcoming crab fishing season

### **Operations and Administration**

Management Plan Review Process Continues:

- Formulating response to comments
- Conducting agency consultations
- Making edits to the Draft Management Plan, Draft Environmental Assessment and proposed rule, preparing final document and rule hoping that by April we have the final management plan and move on from there

### **Cordell Bank National Marine Sanctuary Superintendent's Report**

Dan Howard, CBNMS Superintendent

(Verbal report, no slides)

We held our second virtual advisory council meeting last week and said good-bye to four long term advisory council members; George Clyde and Mike Cummins who occupied our Marin County At-Large seats, and our two research representatives Tessa Hill and Jaime Jahncke. We welcomed our new Marin County At-Large representatives Frank Borodic from Inverness and Rob Taboada from Mill Valley and our two new research representatives Jeff Dorman and Chrissy Piotrowski.

### **COVID 19**

All CBNMS staff are still teleworking from home. In late October due to a drop in positive COVID cases, Marin County moved from Tier 2, substantial, to Tier 3, moderate while Sonoma County remains in Tier 1, widespread. COVID cases around the country and in California are currently peaking again which means CBNMS staff will likely stay in telework mode until positive cases start to decline again or if there is a vaccine.

**Fiscal Year 2020 Accomplishments:** we submitted three accomplishments from 2020 to ONMS headquarters for their annual report. All three were joint projects with GFNMS:

1. Engaging industry to protect endangered whales
2. Deep sea surveys in the sanctuary: work that CBNMS and GFNMS were able to accomplish on the *E/V Nautilus* in October of 2019
3. Characterizing the sounds in the sanctuary, which you will be hearing more about this later in the meeting.

**Vessel Speed Reduction (VSR) work:**

Reviewing mid-term VSR data, we have seen 64% cooperation from industry in 2020, which is up from 58% in 2019. We will see what final cooperation levels are when we work up the data for the whole year. We ended our VSR season last Sunday on November 15<sup>th</sup>.

**Condition Report:**

Dani Lipski continues to work with all staff revising our CBNMS Condition Report. She has completed two workshops identifying indicators for habitat quality and living resources. Jan Roletto is part of the condition report team and hopefully some of this work will make it easier for Greater Farallones when they start reviewing their condition report.

**PUBLIC COMMENT – 1 public comment**

Written submission from Aimee Solway, Pacifica Resident:

“I am a Pacifica resident and have been sad to see that our coastline is not recognized and protected. I applaud the SAC's work and I hope the new presidential administration will make increased protection more feasible. I cannot attend this Thursday's meeting but if there is community advocacy which I can do, please let me know. I am not sure this issue is on the radar here. Thank you again for trying to protect our oceans.”

**BREAK**

**Presentation: San Francisco-Pacifica Exclusion Area (SFPEA) Subcommittee Recommendations & SAC Discussion (Action Item)**

Dominique Richard, SFPEA Subcommittee Chair

Subcommittee members: Dominique Richard, Bruce Bowser, Jaime Jahncke, Joe Fitting

[View presentation](#)

*Presentation Highlights:*

- The SFPEA was excluded from the MBNMS boundaries due to concerns related to dredging in the main channel, ship traffic, and storm water discharges.
- In 2013, graduate students at the University of California, Santa Barbara Bren School of Environmental Management did an analysis of the anthropogenic and ecological factors around the SFPEA and concluded with recommendations for closing the SFPEA. In the report, they concluded that dredging and water quality are not significant problems like it was when MBNMS was designated. Concerning water runoff, new facilities have been implemented with the ability to store water as opposed to discharge; regarding ship traffic, the report compares traffic in this area with other sanctuaries and concluded that there is no real difference between traffic here and traffic in places like Boston or Florida at Stellwagen and Florida Keys National Marine Sanctuaries.



- GFNMS already manages the area around the SFPEA; the Northern Management Area (NMA) in MBNMS is managed by GFNMS, except for water quality. There are a number of locations in the NMA where MBNMS does water quality testing for ship discharge.
- The arguments for including closing the SFPEA include:
  - The plume from SF Bay goes out into GFNMS; there is connectivity in the waters around and outside the SF Bay and with the sanctuary waters off the SF-Pacific coast.
  - There is a lot of animal traffic between the outer coast and the SF Bay that travel through the SFPEA (e.g., sharks, birds, whales, dolphins)
  - There is a cultural consideration related to local Native American tribes who have important cultural connections to this area.
  - There is significant tourism along the SFPEA coastline; 30 million visitors annually to SF. The connection that can be made for visitors to that area near Ocean Beach, the SF Zoo, Crissy Field, etc. would greatly benefit the sanctuary.
- Subcommittee's proposal: Inclusion of SFPEA in GFNMS through moving the eastern boundary down to include the exclusion area; in doing so, adjusting the MBNMS boundary down and incorporating the remaining space into GFNMS where GFNMS already manages.
- Possible issues to consider: Management or water quality site would be included in GFNMS, responsibility for beach warning or closure would fall to GFNMS, responsibility for cruise ship discharge monitoring, we understand a NMS boundary change is a significant undertaking
- Possible alternatives the subcommittee considered: Incorporate the SFPEA into GFNMS non-contiguously (didn't recommend this because it makes more sense to have the sanctuary all within one boundary); create a separate sanctuary for the SFPEA (didn't recommend this because this would require more resources for new staff, new site offices, going through the initial designation process, etc.)

### *Discussion*

*(The proposed resolution document was pulled up on the screen for all to view and discuss; Alayne Chappell made edits in real-time and in visible track changes.)*

*John Berge (question for Maria Brown): In regard to the placement of dredge materials, the presentation suggests that that's been addressed, but my understanding was that existing regulations still have some prohibitions on that. Can you elaborate on that?*

*Maria Brown: The GFNMS does not have any prohibitions on the use of dredged material. You can't dispose of it in a sanctuary. It could be permitted if it's for research, education, or for restoration. It has to have a benefit to the sanctuary. With the current placement of dredged materials, there are two potential issues that I see: 1) there currently is a disposal site that's right next to where the materials are dredged, that site would need to be certified as a pre-existing activity in order for it to continue, and we would need to find that it's not detrimental to the sanctuary; 2) Other problem is that that disposal site is reaching its limit and they will not be able to use it indefinitely because it will become a potential navigational hazard, so they are looking for alternative sources for the dredged material and right now. They're looking to place that dredged material on Ocean Beach to protect the shoreline there.*

*John B.: So, would that qualify then as restoration placement?*

*Maria: Yes, if the dredge material is used to restore Ocean Beach near Sloat Blvd. where they've seen a loss of sand. They are still trying to figure out why they are losing so much sand. It's a complicated issue and it's something NPS is looking into.*

*John B.: If the SFPEA were part of MBNMS, would those similar sanctuary regulations apply as well?*

*Maria: To be clear, closing the SFPEA and the recommendation to move MBNMS boundaries are two different issues. I just want to remind the advisory council that it can't provide a recommendation on what MBNMS should do, only GFNMS. It can't make a recommendation to MBNMS about revising their boundary; it can recommend that GFNMS work with MBNMS on our shared boundaries.*

*Richard Charter: I'd like to thank the subcommittee for their work on this. It's something I've been waiting for since 1992. We tried to do this originally. I just have some suggested minor edits to the proposed resolution: In the first 'whereas', before the words 'stormwater discharges', I suggest we add 'potential concerns at that time about...'. (Alayne made this edit in track changes.) At the time, not everyone agreed that we were going to need to carve out the SFPEA. Also, I appreciate the note about the boundaries aligning with the meridian; it is common practice now for marine protected areas to follow along the meridian parallel to a latitude line, but in this case, it might be better to stick to the original angle. I agree with the note about working with MBNMS on any mutual boundary determination.*

*Barbara Emley: I suggest we work with the MBNMS SAC on proposing the boundary change. We have a good relationship with the MBNMS SAC, and we could work with them.*

*Maria: It would be advisable that this advisory council work with the MBNMS SAC before making any recommendation related to the shared boundaries.*

*Sarah Bates: I have a question about the stormwater. How confident are we that storm water is never discharged there? My understanding is that during large storm events they never discharge there.*

*Maria: The San Francisco Public Utilities Commission (SFPUC) has a permit to discharge stormwater overflow, which is a combined sewage overflow system, when there is a large storm event. Stormwater is combined with sewage and discharged into the receiving water body. SFPUC has a permit from the Environmental Protection Agency (EPA) to have a limited number of discharges. So, yes, they do continue to discharge. I don't know exactly how many discharges they do annually. In the past the SFPUC has discharged both in the SF Bay and in the waters of the SFPEA. I've heard they're looking to eliminate the discharges in the bay and just do discharges into the ocean.*

*Max: I would add that the last time we talked to SFPUC was during scoping in 2012 or 2013; they said they did about seven of these discharges per year. I don't know if that number has changed.*

*Sarah: So, would they lose that permit? Or would they retain that ability to discharge if the SFPEA is in a sanctuary.*

*Maria: If we were to move forward with this action to look at the SFPEA, we would look at all of the potential activities that would violate any proposed sanctuary regulation. We would consider potential certification of preexisting activities like existing permits. We would need to determine what the impact would be on the proposed sanctuary area. For example, when we expanded north at Manchester Beach there were cables that were a disturbance to the seabed and a discharge. We certified the cables as pre-existing activities; the damage they did was prior to the sanctuary designation and that under special conditions we would be able to make sure that through maintenance of the cables, the sanctuary wouldn't be negatively impacted. We would have to do an analysis on the activities that are occurring within the SFPEA to see if they would continue to have a negative impact and assess what we could do to mitigate impacts before we included that area in a sanctuary.*

*Sarah: Thank you. I have one more comment: If this area is designated a sanctuary, you may want to consider those 30 million tourists annually and how it would impact the sanctuary. Fisherman's Wharf gets around 14 million annually and it's a nightmare just in terms of the amount of traffic. So that's just something to consider.*

*Jan Roletto: Is the map used in the slides from the last management plan?*

*Dominique Richard: It's from 2008. As to whether the SF Bay will be included, we did not discuss that. We made the assumption that the boundary would stop at the Golden Gate.*

*Maria: I think what would be most appropriate is for the council not to provide a boundary recommendation at this time. GFNMS would need to go through a public process; the SAC could provide recommendations for boundary changes for us to consider during that process. We could then provide in the scoping and NEPA documents details about boundary alternatives for the public to comment on.*

*Kevin Grant: It seems this resolution has two distinct aspects to it: 1) include the SFPEA into a sanctuary; and 2) changing the boundaries of two sanctuaries. While they are related, they are distinct. Who was involved from MBNMS in the Bren School report in 2013? What was the origin of the report?*

*Maria: It was a graduate school thesis project, so neither the SAC nor sanctuary staff were involved in developing the report. When we look at the report, we should be aware that it is a graduate student report, and the information is not coming from NOAA or the SAC. There is a lot of useful information in it, but it's not vetted by NOAA. GFNMS issued a notice of intent and scoping on closing the SFPEA in 2012, so as part of the notice we asked the Bren school to provide us data and an analysis of the resources and issues still present in the area, in consideration for closing it.*

*John B.: I just want to point out that it was a serious undertaking by these graduate students, so it's fairly comprehensive.*

*Kevin: My concern is not what is being proposed as much as the how. I know there is a long history of the SFPEA and whether or not to include it. My concern is that MBNMS is finalizing our management plan review process currently and we have already made the determination that we are not going to address the SFPEA right now. Adjusting a boundary is a totally different topic that is worth exploring. My concern is that this body officially moves forward with this resolution recommending another sanctuary adjust its boundaries without communicating with that other sanctuary. I don't see anything here that's a hard stop, but I think there needs to be a more inclusive approach.*

*Richard: In light of these comments regarding MBNMS, I suggest we re-word the resolution so that instead of recommending proposed changes to MBNMS boundaries, it says, 'mutually shared sanctuary boundaries' or eliminate anything about boundaries and not get into boundaries now because that will be a part of a public process going forward.*

*Francesca Koe: I agree with that suggestion. Unless the authors have other intentions that benefit the SFPEA, I recommend the bifurcation of the boundary topic recommending that GFNMS look into closing the SFPEA and what it would take to include the SFPEA into GFNMS. I think it should be referred to as the "inclusion zone" as opposed to "exclusion zone."*

*Jaime Jahnke: Could GFNMS have the SFPEA added but not directly connected? MBNMS has done this with the Davidson Seamount.*

*Richard: I support avoiding any reference to boundary adjustments and instead simply moving forward with a recommendation to consider including the SFPEA within an expanded GFNMS (to Jaime's point, it has been done with Davidson Seamount). That's the easiest path forward right now.*

*Kathi George (in the chat box): I like Jaime's suggestion and the suggestion to just focus on the SFPEA for this resolution.*

*Kevin: I'm not sure the second 'whereas' statement is accurate. I want to stress that getting the two SACs together is an important step, but I don't think it's the only step or first step. The ONMS needs to look at any proposals that come out of here, whether it's just to investigate these things. ONMS will have to get our ducks in a row before the two SACs get into a discussion on what should or should not be boundary changes.*

*John B.: Regarding the second whereas statement, based on the questions related to placement of dredge material and the permitted storm water discharges, I think saying those problems have been mitigated is not actually correct. If anything, they have only partially been mitigated. I would suggest adding language that "unmitigated issues can be addressed through certification of pre-existing activities." Or removing the statement. (Alayne removed the second whereas statement in track changes.)*

*Dominique: There are two recommendations on the floor: 1) Just focus on the SFPEA as part of GFNMS non-contiguously, similar to how MBNMS has with Davidson Seamount; 2) Request that the GFNMS work with MBNMS to reexamine their shared boundaries related to the SFPEA.*

*Francesca: I think we should delete any language about MBNMS boundaries for this resolution. There can be another separate action wherein we recommend GFNMS collaborate with MBNMS to investigate shared boundary changes related to the SFPEA.*

*(Alayne, based on these comments, removed the existing “Be it resolved” statement and wrote in: “Be it resolved, the SAC recommends GFNMS consider incorporating the SFPEA into GFNMS non-contiguously” in track changes)*

*Richard: I think that’s good. I think this can be more of a resolution of intent as opposed to having too many details.*

*Francesca: I agree with Richard.*

*Cea Higgins: By making the recommendation that GFNMS consider incorporating the SFPEA, is requesting a public process begin, correct? So, there would be a notice, a process for public comment and the opportunity to deal with all of these various concerns? So just by saying we recommend it be considered, we’re starting that process. Or do we need to specify that in our recommendation?*

*Sarah (in the chat box): Do we run the risk of this resolution being rejected outright if we don't first address or assess the existing dredge disposal & stormwater discharge? It seems we might be skipping some important steps before sending this resolution up the chain.*

*Maria: Addressing both questions: GFNMS would need to investigate whether the area warrants sanctuary protection and if there were any issues that hinder inclusion as a sanctuary. The sanctuary could look at this issue through our next management plan review process, which is scheduled to begin in 2023. If this resolution passes in which you asked us to look at including this area in the GFNMS, the topic would be included in our scoping process for the management plan review. Through the public comments, we would determine public interest in the topic and depending on that and on SAC recommendations, we would do an analysis that would be published in our management plan and proposed rule for regulatory changes. As a part of that analysis, we would look at different alternatives, including a no action alternative, and explanations about why or why not we are pursuing any potential action. This will include any regulatory or boundary changes. The documents would then go out for public comment. By bringing it up now instead of during the management plan scoping process, NOAA can discuss your recommendation and bring alternatives forward to the public for consideration during scoping.*

**Motion to approve the resolution as edited today with the following changes:**

1. Remove the mention of MBNMS boundaries
2. Add “potential concerns at that time about...” to the first whereas statement so that it reads: “Whereas, in 1992 the SFPEA was carved out from the initially proposed footprint of the Monterey Bay National Marine Sanctuary because of potential concerns

at that time about stormwater discharges, dredging and ship traffic incompatible with sanctuary regulations,”

3. Remove the second whereas statement, “by 2013, these problems have been mitigated.”
4. Rephrase the resolved statement to read: “Be it resolved, the SAC recommends GFNMS consider incorporating the SFPEA into GFNMS non-contiguously.”

**First: Richard Charter**

**Second: Bibit Traut**

**Vote: 10 yes, 0 no, 2 abstain**

**Motion passed.**

[View the final resolution.](#)

### **SAC Charter Renewal (Action Item)**

Dominique Richard, SAC Chair; Alayne Chappell, SAC Coordinator

Charter renewal process:

Alayne Chappell

Note: ONMS SAC Handbook: Revising a Charter (pg. 55)

- About 6 months before the expiration date, the SAC will review the current charter and make any recommendations for amendments (these amendments should address existing problems or needs of the council)
- The sanctuary superintendent and council coordinator will discuss recommendations with appropriate sanctuary staff on-site and at the national office.
- Any ONMS-wide new legal or programmatic requirements will also be incorporated through guidance from the National Council Coordinator.
- Once all of the changes have been determined, a new draft charter will be prepared and sent for final approval by the ONMS Director.
- A final version will be distributed to SAC and posted to the GFNMS website.

*Regarding the proposed change to the charter to allow alternates to serve in officer roles (chair, vice chair, secretary (proposed by George Clyde), there may not be time to fully discuss this topic today due to the extended time that was needed for the last agenda item and action.*

*George Clyde: We don't have a solid charter presented in front of us. I'm proposing a stand-alone amendment for my proposed change.*

*George feels the SAC should have a chance to consider this change before holding the officer elections planned for February.*

*Francesca Koe: Proposes a motion to have the charter renewal action item postponed to February and have this conversation before the election.*

*(The suggestion was made to hold the officer elections in May instead of February, if possible. Maria and Alayne will confirm whether there is precedent for postponing officer elections at the discretion of the superintendent and SAC chair. Maria says she believes they have done this in the past.)*

*Abby Mohan: Seconds the motion.*

**Motion: To postpone the SAC Charter renewal discussion until February; consider postponing officer elections to May.**

**First: Francesca Koe**

**Second: Abby Mohan**

**Vote: 12 yes, 0 no, 0 abstain**

**Motion passed.**

### **Presentation: Acoustic Monitoring in the Sanctuaries: NOAA Ocean Noise Reference**

#### **Station Results**

Samara Haver, Oregon State University (Nancy Foster Scholar)

[View presentation](#)

Presentation highlights:

- The results from the first two years of hydrophone recordings were published recently. These results are applicable to both GFNMS and CBNMS. This is a part of a larger network of noise reference stations around the US; part of the NOAA Ocean Noise Strategy to assess human impacts of acoustics on environments.
- Passive acoustic monitoring can be year-round, minimal disturbance, not limited by weather and daylight and able to collect long term sets of data. The hydrophones record low frequency sound, like whale, shrimp, vessels, and geophysical sounds. All of these sounds makeup what's called a *soundscape*.
- With the soundscape we can establish baseline sound levels and analyze recordings for presence of baleen whale vocalizations.
- Higher intensity sounds are perceived to be louder. The frequency of a sound is determined by the length of the wave.
- What we heard from the sanctuaries: low frequency soundscape dominated by whales; seasonal presence of blue and fin whales; humpback vocalizations year-round. Vessel noise is consistent year-round, with ambient levels consistent with southern CA.
- We are looking for seasonal patterns in whale sound levels and monthly differences between species. Fin whales are heard in the spring; blue whales in the fall; humpback whales (which are highly vocal) are heard year-round. This reaffirms what we know about how efficient and useful these tools are for identifying animals when we can't see them. The limitation is that we didn't have success monitoring grey whales because they are quieter and travel closer to shore.
- In CBNMS, we found different detection results by species. This could be because vocalizations are masked by other sounds, or out of the zone where sound could be captured. The majority of low frequency communications for baleen whales overlaps with shipping vessels, which can mask marine mammal vocalizations.
- Comparison to other soundscapes: For Channel Islands near the port of Los Angeles, the levels we recorded were about 25% louder related to shipping traffic, which could be due to less exposure of the instruments because of land formation.
- Management: This work reveals that species are nearby throughout the whole year, indicates the need for more information about where whales are when we can hear them, and about vessel noise vs. whale noise.

## Q&A

*Richard Charter (in the chat box): Samara, great presentation! Could you briefly address whether and how this area of bioacoustics science might eventually have utility in evaluating the impacts of potential audio signatures from what appears will be an upcoming assortment of very large offshore floating wind turbines that are currently being proposed by BOEM for waters to the north of, and just south of, our National Marine Sanctuary sites? Thank You!*

*Samara: I would expect it would be low frequencies so we would be able to monitor sound from construction and installation, as well as operation sounds. It's difficult to say for sure because I don't know where they are going to be.*

*John Berge: Your acoustic versus visual evidence of humpback presence suggests there is very little change in their presence here throughout the year, as opposed to following seasonal migration. Can you elaborate on that?*

*Samara: We can only track the sounds, so we don't know about individual whales. It could be whales moving in and out of the sanctuary. We can't count them, so we don't know if it's one or a group up to a certain point. Our results indicate there are whales nearby.*

*Sarah Bates: How far are you from having real-time acoustic data?*

*Samara: We won't have real time for this project. We'd have to have a cabled instrument like MBARI (Monterey Bay Aquarium Research Institute) has in MBNMS, which is a bigger and more expensive undertaking.*

*Barbara Emley: Are the feeding habits of gray whales on the bottom affecting your inability to hear them?*

*Samara: It could be but indirectly. It's mostly because they forage closer to shore and calls are much quieter.*

*Mike Esgro: Do ships generally produce less noise when they are slower? I'm wondering if vessel speed reduction programs may have the added benefit of reduced acoustic disturbance.*

*Samara: Yes, absolutely.*

*Michael Stoker (member of the public; in the chat box): We are planning on deploying a set of hydrophones off of Point Reyes. While this is not in a Navy-funded operation area, we want to coordinate our work with the NOAA SanctSound efforts. Are you conversant in that program and interested in chatting about how we might coordinate?*

*Samara: I'm happy to answer particular questions and connect on the side.*

*Kathi George: How long will this hydrophone be deployed?*



*Samara: We're hoping to swap it out a year from now and continue.*

*Maria: Thank you for joining us, your presentation and work is valuable information that will help us manage better in the sanctuary.*

**ADJOURN: 1:30pm**

**Member Reports**

*During the time the SAC has shortened virtual meetings, SAC members will provide verbal reports every other meeting, and written reports in between. This meeting there were no verbal members reports. [View written submissions.](#)*

*Meeting highlights prepared by Alayne Chappell, Advisory Council Coordinator.*