

**CINMS CONSERVATION WORKING GROUP**  
**3/16/11 Report**  
**Environmental Defense Center Conference Room,**  
**906 Garden Street, Santa Barbara**

Present: Linda Krop, Chair (EDC), Greg Helms, Vice Chair (TOC), Kristi Birney (EDC), Debra Herring, Vic Cox, Jean Holmes (LWVSB), Sarah Green (Bren), Jen Feinberg, Christine Ryerson (Jim Ryerson Foundation), John Ugoretz (Navy)

CINMS Staff: Mike Murray, Kristen Hislop

**I. SHIPPING**

**A. PARS**

Mike Murray reported that the U.S. Coast Guard's PARS study for the SB Channel is anticipated to be available to the public in June 2011. The report will be a "Notice of Study Availability" and there will not be a public comment on the study. The study will provide one preferred recommendation with respect to the Traffic Separation Scheme (TSS) in the Santa Barbara Channel. Should the U.S. Coast Guard decide to make a change within or to the TSS, the agency will initiate rulemaking procedures. The public would have an opportunity to comment on the proposed rulemaking.

**B. NMFS WORKSHOPS**

Pacific Life Foundation sponsored the Southern California Marine Mammal Workshop in January 2011. The conference is organized by and for marine mammal researchers who work in the Southern California Bight region. The workshop's overall goal is to provide introductions and discussions to foster collaboration between researchers in the Southern California region. Steve Katz and Sarah Green attended the workshop for the CINMS. Staff from NMFS discussed a new risk model they have developed that assesses, at a regional level, areas with high risk for collision between whales and ships.

**C. BREN GROUP PROJECT**

Sarah Green presented an overview of the Bren Group project, which will also be presented at the SAC meeting on Friday. The full group presentation will take place at Bren on April 15. The Bren report examined economic impacts and risk reduction related to various management options. The economic analysis addressed changes in fuel consumption, time at sea, and possible delays due to Navy operations. The analysis was based on future implementation of the Emission Control Area offshore California. The risk analysis utilized SAMSAP and AIS data. The results of the analysis show that reducing ship speeds seasonally or permanently provides the greatest risk reduction while avoiding significant cost impact. Year-round speed reductions provide the greatest reduction in risk of ship strikes. Narrowing the existing shipping lanes may

actually increase the risk of ship strikes with virtually no change in costs. Moving the lanes south of the islands increases the cost, with variable effect on risk.

**D. SOCAL-10 STUDY**

The SoCal-10 Study is now available.

**E. OCEAN ETIQUETTE**

Debra provided NOAA's Ocean Etiquette "Marine Wildlife Viewing Guidelines." She also brought the updated Naturalist Corps data collection sheet which includes a data point indicating whether whales are less than, or greater than, 100 yards from whale watching vessels.

**F. OTHER CINMS UPDATES**

John Ugoretz reported that the Navy is providing financial support for CINMS aerial surveys. Surveys have occurred less frequently than hoped for, due in large part to weather (and partially due to sea range operations). The Navy is collecting data that can be coordinated with SAMSAP data.

**II. AQUACULTURE**

The CWG reviewed a letter drafted for SAC consideration regarding NOAA's and Commerce's proposed aquaculture policies. Comments are due April 11. The draft letter is based on the SAC's 2007 report on open ocean aquaculture. Kristi reported on the SAC input she has received thus far regarding the letter, which ranges from seeking a full ban on aquaculture in the CINMS and surrounding areas, to allowing aquaculture on a more flexible basis. The CWG pointed out that it is important for SAC members to understand the context of the proposed policies, and the 2007 recommendations. First, the proposed policies only apply in federal waters (more than three miles offshore) and thus do not affect state regulations or nearshore aquaculture projects. Second, the SAC's 2007 recommendations are focused on open ocean finfish commercial aquaculture (e.g., not restoration activities). Third, our intention is not to create new recommendations, but to simply provide input based on the 2007 report, which was adopted by a unanimous SAC vote following extensive consideration and deliberation. The CWG suggested that these points be presented to the SAC, and that we bring copies of the 2007 recommendations so members can compare them to the draft letter. We may also bring proposed revisions that clarify the focus and context of the letter, and add Commerce as a recipient of the comments.

**III. OCEAN ACIDIFICATION**

Kristi reported that we have received a new draft of the West Coast Task Force Plan. The latest version of the draft is under review and we anticipate a completed plan in the near future.

Kristi also reported that EDC received a grant from the National Marine Sanctuaries Foundation to help develop and distribute a PSA about ocean acidification. Receiving only ½ the funding they requested, EDC is looking for matching funds.

#### **IV. CWG OFFSHORE ENERGY REPORT**

Kristi provided an update regarding our progress drafting a report about offshore energy. Similar to previous reports, the analysis will address potential projects and technologies, potential impacts to sanctuary resources, existing laws and regulations, gaps in information and management approaches, opportunities and need for sanctuary engagement, and recommendations. We discussed the possibility of providing a panel discussion at the May SAC meeting to focus on the first two components: possible projects and technologies in the CINMS region, and potential impacts to sanctuary resources. A later panel could focus on the regulatory framework. Kristi invited input re potential panelists for the first panel presentation.

#### **V. MLPA**

Greg Helms reported that there has been a legal challenge to the network of south coast MPAs under the MLPA. The lawsuit was filed by United Anglers of Southern California and Coastside Fishing Club, and Robert Fletcher against the California Fish and Game Commission. Allegations include violations of CEQA, adoption of regulations without statutory authority, and violations of the coastal act. Ocean Conservancy and NRDC will most likely intervene in the lawsuit.

#### **VI. OTHER SAC, CINMS ISSUES**

Debra passed out a handout regarding dolphin protection.

John mentioned that the State Water Board issued a notice regarding a Draft Program Environmental Impact Report that addresses Stormwater/Nonpoint Source exceptions and protections in Areas of Special Biological Significance. Public Comments are due on May 4, 2011.

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