News Clips for the Channel Islands National Marine Sanctuary Advisory Council[1]
November 2014 through January 2015

Feds sued over Santa Barbara hydraulic fracturing permits

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Associated Press

SANTA BARBARA, Calif. (AP) — An environmental group sued the federal government on Wednesday for approving the use of hydraulic fracturing — fracking — on oil platforms off the Southern California coast.

The federal lawsuit by the Environmental Defense Center alleges the U.S. Department of the Interior and two of its subsidiary agencies approved 51 permits to drill from oil and gas platforms in the Santa Barbara Channel without properly conducting environmental studies or permitting public comment.

The permits, issued mainly within the past two years, allow the use of fracking or acid well stimulation at six platforms off the coasts of Santa Barbara and Ventura counties.

The procedures involve injecting large amounts of water, acid and other chemicals into the ground to fracture or dissolve rock.

"The use of these highly corrosive and hazardous industrial chemicals and acids poses significant risks to water and air quality and the many endangered species within the Santa Barbara Channel, including blue, fin and humpback whales, and the southern sea otter," the lawsuit contends.

The suit asks the court to bar the government from implementing the 51 authorization permits as well as all pending and future permits for the area until it meets requirements of the National Environmental Policy Act.

The Bureau of Ocean Energy Management had not seen the lawsuit and could not immediately comment, spokesman John Romero said.

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[1] *Articles shared specifically mention the sanctuary and/or are related to issues of known interest to the sanctuary advisory council. Any external opinions expressed within these articles do not reflect the views of sanctuary staff or NOAA, and sharing these stories does not indicate staff endorsement of views contained therein.*

The Bureau of Safety and Environmental Enforcement cannot comment on pending litigation, said Julia Hagan, a spokeswoman for the bureau's Pacific region.

After-hours messages left for representatives of the Department of the Interior were not immediately returned.

The region is home to Channel Islands National Marine Sanctuary and has more than 1,000 active wells.

Santa Barbara County has hosted oil derricks since the late 19th century. A 1969 offshore well blowout in the Santa Barbara Channel devastated area sea life, coated beaches in layers of oil up to six inches thick, and helped give rise to the modern environmental movement and to current national and state environmental legislation.

However, county voters last month rejected a ban on fracking and most other intensive drilling. Voters heeded warnings from the oil industry and business groups that the measure there would cost the county more than $300 million that the oil industry pumps into its economy annually.

Bans were approved by voters in San Benito and Mendocino counties, which have comparatively little oil.

California is the country's third-largest petroleum-producing state.

Sonoma, Mendocino coast sanctuaries expansion on track

By Mary Callahan
The Press Democrat
November 19, 2014

POINT ARENA NATIONAL SEASHORE - The proposed expansion of adjoining national marine sanctuaries that would extend environmental and wildlife protections to the Sonoma and southern Mendocino coasts is on track for agency approval this winter, with suggested revisions that reflect public input, a sanctuary official said Wednesday.

Maria Brown, superintendent of the Gulf of the Farallones National Marine Sanctuary, said she hopes by spring to celebrate completion of a process that would more than double the combined area of the Farallones and neighboring Cordell Bank marine sanctuaries, prohibiting energy exploration and development in an additional 2,769 square miles of ocean and granting federal stewardship to environmentally rich waters that are brimming with sea life.

“This hasn’t been approved by NOAA yet,” Brown said, referring to the National Oceanic and Atmospheric Association, which administers the nation’s 13 underwater sanctuaries and has authority to adopt the expansion, “but we feel fairly confident this is the direction we’ll be headed.”

The revised proposal includes a number of changes that address concerns brought forward during four public hearings on the coast in May and June, and in more than 800 written comments submitted to NOAA, agency representatives said.

It also acknowledges plans to change the name of the expanded Gulf of the Farallones marine sanctuary to something that more fully captures the region's geography, history and underwater features — a conversation already begun within the Gulf of the Farallones National Marine Sanctuary Advisory Council.

"This is sort of a fun thing in one way, but it's also, honestly, quite important," said the council's new chairman, oceanographer John Largier, a professor at the UC Davis Bodega Marine Laboratory.

Changes made to the expansion proposal itself include a decision to drop, for now, controversial plans for four specified zones in which motorized personal watercraft would be confined, pending additional public input on the matter. That means there would be no federal limitations on personal watercraft in the expansion areas unless and until some additional regulation is adopted, according to spokeswoman Mary Jane Schramm. Motorized personal watercraft are otherwise prohibited in the existing Gulf of the Farallones sanctuary, except where human life is at risk or otherwise specifically authorized by permit, she said.

Officials also have eliminated a provision permitting the superintendent of either marine sanctuary to authorize activities otherwise prohibited within sanctuary boundaries, Brown told the Gulf of the Farallones National Marine Sanctuary Advisory Council.

She said, however, that once the expansion is in effect, NOAA would create a process through which certain activities could be considered and permitted, with opportunities for the public to weigh in. She also said that opinions on the issue of motorized watercraft were "so divergent" that NOAA would assemble stakeholders at a later date to consider acceptable zones.

Also to be addressed later is a process through which the sanctuary administration would certify certain pre-existing uses within the expansion area, as is required under federal marine sanctuary law, for ongoing activities such as use of boat launches in Timber Cove, Bodega Marine Lab research off the coast and trans-Pacific utility cables that terminate at Manchester Beach. Any new procedures would include a process through which NOAA could put conditions on such activities, as they're permitted to do, Brown said.

The revised proposal additionally states more clearly now that any energy or mineral exploration or extraction will be prohibited in the sanctuary, extending protections against oil rigs and similar uses all the way to Point Arena, she said.

The expansion plan would turn into reality decades of work aimed at preventing oil drilling offshore of the Sonoma Coast and would help protect critical feeding grounds created by the existence of an ocean upwelling offshore from the southern Mendocino Coast that pumps nutrient-rich water upward and southward toward existing marine sanctuaries. Sanctuary designation does not limit fishing.

Once the Monterey Bay National Marine Sanctuary is included, the proposal would put a 350-mile band of California coastline, from Cambria to Manchester Beach, under federal protection.

However, those on the northern Mendocino Coast who have urged officials to include them in the current expansion face disappointment, as do the many who pleaded for inclusion of the biologically rich estuaries of the Russian, Gualala and Garcia rivers.

Expanding the proposed boundaries to embrace anything more than what was in the initial proposal, Brown said, would require additional research for development and recirculation of a new draft environmental impact statement and would almost mean starting from scratch. “So if we wanted to expand into any of those areas, we would have to go through a separate public process,” she said.

The new proposal does include a minor boundary alteration to exclude Arena Cove in Point Arena, because of moorings there, Brown said.

There remain opportunities for hiccups to occur during the review process prior to publication of a final decision — say, for instance, if there were significant objection in Congress to some aspect of the plan, Brown said.

But she said she did not anticipate anything beyond minor “tweaking” to the proposal already in development for two years.

“We’re getting very, very close,” Brown said.

Humpback Whales make’ Tick-Tock’ Noises While they Hunt at Night: Study

By Andrea Cordell
Uncover California
December 17, 2014

Recent research has revealed that humpback whales make' tick-tock' noises while they hunt together at night in deep, pitch-black water. But these creatures are silent when they hunt alone.

The research at Syracuse University emphasizes the importance of specific auditory cues that these mammoth creatures emit while they search for their prey in the deep ocean.

Susan Parks, a researcher who studies marine science and acoustic communication, said that humpback whales are known to cooperate with each other while they corral prey near the surface. And the recent study also suggests that they may cooperate with each other while feeding on bottom prey as well.

For the study, the researchers attached a special underwater recording device, so that they could determine how specific acoustic sounds correlated with successful seafloor feeding.

Whales usually look for sand lance, which is an eel-like fish known to bury themselves in the sand of the ocean floor. Parks suggests that whales' vocal sounds might help the creature to flush the sand lance out of the hiding place.

According to the researchers, the clock-like sound created by whales can also act as dinner bell for other nearby whales during the late-night feedings.

These hints of behavior suggest that other whales who overhear the sounds are attracted towards them and might eavesdrop on other whales hunting for food, Parks added.

Findings of the study were published in the December issue of Scientific Reports (Evidence for acoustic communication among bottom foraging humpback whales, 2014).

The article was co-authored by researchers at Moss Landing Marine Laboratories, Oregon State University, Gerry E. Studds Stellwagen Bank National Marine Sanctuary, and the Whale Center of New England.

Parks was part of a collaborative multi-institutional consortium that has spent a decade monitoring Humpback feeding behaviors in the Gerry E. Studds Stellwagen Bank National Marine Sanctuary off the coast of Massachusetts.

Santa Barbara Inches Toward $40 Million Reactivation of Desalination Plant

By Joshua Molina
Noozhawk
January 13, 2015

The Santa Barbara City Council on Tuesday voted unanimously to move forward with a plan to raise water rates to generate $40 million to reactive the city's desalination plant.

The drought conditions remain essentially the same, even after the recent rains.

"We have received no measurable runoffs into our supply at this time," said Joshua Haggmark, water resources manager.

Rates would go up about by about $10 for those who use the least amount of water and as much as $102 for the those who use the largest amounts of water. The rate increase also factors in a loss of revenue from the targeted 20 percent reduction in use.

If approved, the proposed rate increase would go into place on July 1 of this year.

The city plans to send notices of the proposed rate increases later this month, hold a public hearing on March 10, then vote on the increases on March 17.

Santa Barbara's desalination facility at 525 E. Yanonali St. is designed to turn seawater into drinkable potable water through a complex, expensive process.

The city built the plant after a period of severe drought from 1986 to 1991, but decommissioned the plant after heavy rains in 1991.The reverse-osmosis membranes and other equipment must be replaced to make the facility functional again.

The city has also applied for a Safe Drinking Water State Revolving Fund loan to pay for the capital costs of reactivating the plant, but it will not know the result of the application until after March 17, when it needs to adopt the rate increase.

The city expects that it will cost about $5 million annually for full production and about $2.5 million when the plant is in standby mode.

Santa Barbara resident Scott MacIver said he supports the city's efforts to diversify its water sources.

"We need to pursue the reactivation of the desalination plant even if it means increased water rates," the San Roque resident said. "Our water supply is unreliable. We are going to need more water than nature supplies."

MacIver said he is water conscious at his home. Half of his front lawn is grass, but the other half consists of mulch and plants on a drip system. MacIver has artificial grass in his backyard.

"We keep building and growing and our water supply is diminishing," MacIver said.

Robb Kirschke, a Santa Barbara resident who owns Evershade Steam Cleaning and Power Washing, said he supports rate increases to bring in more water. He participated in the city's landscaping rebate program. He put in artificial turf and gravel for a rebate of up to $1,000. He has no grass in the front or back of his house, only drought tolerant, native plants.

"I think the desalination plant should be up and running," Kirschke said.

How Anglers Are Learning To Save Fish That Get 'The Bends'

By Jon Hamilton
NPR News
January 6, 2015

Each year, sport fishermen unintentionally kill millions of deep-water fish they don't want or can't keep. These fish die even though they are handled gently and released quickly. The reason: a condition called barotrauma, which divers know as "the bends."

The problem occurs in fish that have a swim bladder, an internal balloon that helps them control their buoyancy. When a fish is pulled up, "that balloon rapidly begins to expand as the pressure from the water decreases," says Chris Lowe, a marine scientist at California State, Long Beach. So by the time a deep-water fish reaches the surface, he says, "its eyes could be popped out of its head, its stomach is pushed out of its mouth and it looks absolutely horrific."

Fish experiencing barotrauma are often unable to swim, and they look like they're dead — but they're not. Lowe discovered this about 10 years ago while trying to implant tracking devices in California rockfish.

These rockfish live hundreds of feet below the surface, which is a tricky place to perform minor surgery. So Lowe's team brought the fish to the surface, implanted a tracking device and then quickly sent them back down in cages. Two days later, "we brought the cages back up and all the fish were alive," Lowe says.

Other experiments confirmed that deep-water fish could survive a trip to the surface — if fishermen had a way to send them back in a hurry. The question was how. Scientists didn't know. "So it was really fishermen that came up with many of the ideas on how to get these fish back down," Lowe says.

Lowe is trying to make sure people who fish for sport learn how to use descending devices.

The result is a wide range of what are called "descending devices." Some are just upside-down milk crates, while others are commercial products with a pressure-sensitive clamp that releases at a specified depth.

What Lowe is trying to do now is make sure people who fish learn how to use these devices. That's why he and Tom Raftican, president of the Sportfishing Conservancy, have joined a dozen sport fishermen in California as they head out into the Pacific aboard a commercial vessel named the City of Long Beach.

When the boat reaches a reef known for its rockfish, they drop anchor and a dozen anglers bait their hooks. One of them is Nick Mackshanoff, who's been fishing a lot since he retired a few years ago. "If there's water, I fish," he says. "Fresh or salt, bathtubs, oceans, you name it, I fish."

Like a lot of sport fishermen, Mackshanoff is concerned about overfishing and bycatch, fish that are caught unintentionally and die. "Something has to be done," he says, "or 10, 20, 30 years from now there's not going to be any fish. Period."

Mackshanoff has never used a descending device, but he's seen one on YouTube. "They were using this for calico bass, and it was minimal harm on the fish and quick release back in the ocean again," he tells me. "I think it's kind of neat."

As we're talking, another angler reels in a bocaccio rockfish that's too small to keep and is showing all the signs of barotrauma. He hands the fish to Lowe, who clamps its lower lip to a descending device the size of a pocket knife. Lowe uses a fishing rod to lower the fish, device, weights and a camera into the water.

Later, we watch a video of the rockfish's descent. By the time it is about 50 feet down, the fish's eyes are returning to their sockets and its stomach is no longer protruding from its mouth. Before long, the fish appears to return to life. "You can see it kicking, it's trying to swim away," Lowe says. Then the clamp releases and the fish is gone. "Another successful release," Lowe says.

The impact of descending devices could be substantial because there are more than 10 million marine recreational fishermen in the U.S. who catch more than 345 million fish a year, Raftican says. And these sport fishermen release nearly two-thirds of the fish they reel in, he says.

So the Sportfishing Conservancy has been running workshops around the nation, explaining how and why fishermen should use descending devices. It's an easy pitch to make, Raftican says, because fishermen want to preserve their sport. "I love to fish, and I'd like to see my kids and grandkids out there fishing too," he says.