

4 September 2020

Paul Michel
Superintendent
Monterey Bay National Marine Sanctuary
99 Pacific Street, Suite 455A
Monterey, California 93940

RE: Draft Management Plan and Draft Environmental Assessment [Docket No. NOAA-NOS-2020-0094]

Dear Superintendent,

The San Francisco Bay Area Chapter of The Wildlife Society (SF Bay Chapter) is writing to express concern about the scope of analysis in the Draft Environmental Assessment (DEA) for the draft Monterey Bay National Marine Sanctuary (MBNMS) Management Plan (Plan). The DEA does not provide adequate analysis on five key points of the Draft Plan.

This letter is submitted on behalf of the 200+ professional biologists from nine counties in the San Francisco Bay Area of California who comprise the SF Bay Chapter and in which portions of the MBNMS are included. The Wildlife Society (TWS; <https://wildlife.org>) is an international non-profit scientific and educational association, representing over 15,000 wildlife biologists and managers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to ensure that wildlife and habitats are conserved through management actions that take into careful consideration relevant scientific information. TWS and our membership work to ensure that science plays an active role in policy and regulatory decision-making processes, and this letter's comments provide our expert opinion about the proposed rules and Draft Plan. Within this proposed rule and DEA, there are several determinations and analyses that our organization finds inadequate or requests further data on in order to ensure the impacts on marine ecosystems, wildlife, and science-based conservation are correctly understood.

1. The Draft Plan would authorize beneficial use and disposal; however, it does not evaluate the effects from novel beneficial uses or disposals and their interaction with existing dredging operations. More areas would be allowed to be used for disposal increasing the total area species would be exposed to these actions, and the potential increase in demand for dredging if beach nourishment becomes a preferred soft-engineering technique. This could increase the volume and area of turbid environments species are exposed to both at the location of dredging for sediment source in identified harbors and at the sediment disposal locations. The DEA fails to analyze these effects of increased area/volume of exposure and compounding with existing disturbances.
2. The DEA preferred alternative, Alternative C, defines beneficial use as "as a resource for habitat restoration purposes only." This definition is not defended in the descriptions in

Monterey Bay sediment management action plans which emphasize coastal structural needs, infrastructure needs, and recreational resources of beach nourishment. There is little to no description provided on necessary ecological baseline data or biological monitoring of natural habitat. Therefore, the sediment management action plans do not describe habitat restoration purposes and would not meet the criteria for beneficial use.

3. Section 5 of the EA describes the process for detailed ecological impacts to be addressed for each individual project. Although project-level analyses are to be conducted in the future, the EA concludes the effects from these future projects as “negligible” without sufficient information, guidelines or limitations on projects to make such a determination. The DEA analysis is inadequate to support this determination, and guidelines should be incorporated into the Plan and in the regulatory rule language to allow for such a conclusion to be made or a change in determination is recommended to a “may effect, not likely to adversely affect” instead of a negligible determination. Guidelines may include a timeline and types of baseline and monitoring data that would be sufficient to support the negligible impact and if monitoring indicates otherwise, mitigation requirements to reduce the impacts.
4. The timelines of beach nourishment are particularly sensitive for sandy beach ecosystems. There is still little known about the recovery time for invertebrate populations and long-term impacts of sand ecology post-beach nourishment. Invertebrates of a sandy-beach ecosystem provide a major food source for nearshore fishes and to coastal birds, including ESA-protected species such as the Snowy Plover. Therefore, we urge caution in prescribing nourishment events on a cycle equal to or more frequent than 15 months. Management plans should include more data from peer-reviewed literature and observation programs on the recovery of sandy-beach ecology. In addition, requirements for plans should include monitoring of invertebrate populations to aid in scientific and management understanding of the effects of beach nourishment. MBNMS regulations should reserve the right for flexibility in management plans to alter beach nourishment timelines according to current and future data analysis.
5. Finally, the preferred alternative, Alternative C, includes removal of 10 existing buoy mooring anchors and chains and installation of 4 new buoy mooring anchors and chains. This activity has the potential to temporarily disturb green sturgeon and their benthic foraging habitat. The DEA does not adequately analyze these potential impacts and has made a “no impact” determination to Green Sturgeon Southern DPS Designated Critical Habitat. A “no impact” determination is inconsistent with the “less than significant” categorization of NOAA’s field operations for these actions in Section 5.2.1.2 of the DEA. The determinations for the impacts for both sections should be the same. As such the impacts to Designated Critical Habitat for Green Sturgeon should be further analyzed and categorized as “less than significant.”

In summary, the analysis provided in the DEA does not sufficiently analyze impacts of the proposed regulatory decision on revisions to the Plan and should include more data or restriction to projects under the Plan to support the determinations made.

The SF Bay Chapter thanks you for the opportunity to submit comment on this proposed rule. Please contact Patricia Valcarcel, CWB®, the Conservation Affairs Committee Chair (valcarcelp@yahoo.com) with any follow up questions regarding these comments

Sincerely,

A handwritten signature in black ink, reading "Patricia Valcarcel". The signature is written in a cursive style with a large, looping initial "P" and a long, sweeping underline.

Patricia Valcarcel, CWB®
Conservation Affairs Committee Chair, San Francisco Bay Area Chapter
The Wildlife Society