

April 23, 2015

To: Marine Shipping Working Group (MSWG) members

From: MSWG Co-Chairs and Support Staff

RE: Guidance on charge, geographic scope, and miscellaneous process items

Overview

The Marine Shipping Working Group (MSWG) of the Channel Islands National Marine Sanctuary (CINMS) Advisory Council (SAC) held its inaugural meeting on February 25, 2015. This memorandum (memo) provides guidance and additional clarification on the charge, geographic scope (or Study Region), and other process-related issues raised by MSWG members. Supporting information has been provided to the MSWG and is referenced throughout this memo.

Context – Need for Action – Future Steps

The presence of ocean going vessels and changes in their traffic patterns in the Channel Islands region presents distinct, local management challenges, including the potential for vessel strikes on endangered whales, air pollution and greenhouse gas emissions, navigation safety concerns (e.g., ship-to-ship collisions), and conflicts with naval operations and other ocean users.

In 2009, the U.S. Coast Guard conducted a [Port Access Route Study \(PARS\)](#) with the intent to provide safe access routes for vessel traffic proceeding to and from ports the ports of Los Angeles and Long Beach and in response to safety concerns about vessels using alternate approaches to these ports. Safety concerns included vessel traffic congestion and a lack of defined and predictable routes for vessels transiting south of the northern Channel Islands. The PARS findings resulted in adjustments by the International Maritime Organization to the existing Santa Barbara Channel traffic separation scheme (TSS) to enhance protection of the marine environment, specifically to help reduce the risk of ship strikes on endangered whales. Although the PARS recommended creation of traffic lanes south of the Channel Islands, no action has been taken to date.

U.S. Congressional Representatives Lois Capps, Julia Brownley and Alan Lowenthal have since expressed interest in seeking collaborative solutions to address these marine shipping issues. Since 2007, the CINMS Advisory Council (SAC) has provided a local forum for related community and stakeholder conversations.

Recommendations from the MSWG process will be forwarded to the SAC, which in turn provides guidance to the Sanctuary Superintendent. Where appropriate, the Superintendent will consider what if any actions CINMS should pursue. The Superintendent is also committed to sharing SAC advice with all relevant agencies that have a role in implementing recommended

actions. The SAC is not a decision making body and there is no guarantee that recommendations from the MSWG will be implemented.

We believe the MSWG members represent a competent, capable, and responsible group of individuals and organizations to address these ocean use challenges. The MSWG process is opportunity for stakeholders to share recommendations with the SAC and CINMS to help shape future actions.

Incorporation and relationship of MSWG Goals

MSWG members bring a wealth of knowledge and expertise from a variety of perspectives and professions. The SAC has convened the MSWG to develop and deliver recommendations focused on the following goals:

- (1) Reduce the risk of ship strikes on endangered whales;
- (2) Decrease air pollution and greenhouse gas emissions;
- (3) Improve navigational safety and promote efficient maritime shipping throughout the region; and
- (4) Manage ship traffic to minimize interruption to navy operations and reduce conflicts with other ocean users (e.g., fishing and whale watching concessionaires).

These recommendations (or “proposals”) may include advice on ship management measures, education and outreach, and research, and should strive to address each of the goals listed above. In cases where that is not possible, MSWG members should detail how and why a recommended action does or does not address these goals.

As MSWG members form recommendations to address these goals, it is important that they take into consideration existing and proposed future actions, outside of the MSWG process, that may directly or indirectly address one or more of the MSWG goals. For example, as was pointed out at the first MSWG meeting, actions are being taken at the state, national and international level to improve air quality and reduce ship-borne pollution (e.g., California clean marine fuel regulations passed in 2009 and the more recent establishment of an Emission Control Area [ECA] in the U.S. Exclusive Economic Zone).

Guidance on Accomplishing the MSWG Charge

The MSWG is charged with crafting advice in the form of management, education and outreach, and research recommendations or proposals that address each of the goals to the greatest extent possible. The MSWG is encouraged to build on the management, education and outreach, and research actions employed and recommendations provided to date in the national marine sanctuary system and elsewhere. Specifically, the Marine Shipping Working Group, with staff support, should aim to accomplish the following:

- Identify, provide, collect and review existing relevant information and data;
- Review past or existing agency, industry and stakeholder management, education and outreach, and research actions;

- Identify solutions that address a variety of human uses (e.g., military activities and commercial shipping) and potential impacts to the study region's marine environment (e.g., air pollution and whale ship strikes), using SeaSketch to support analysis;
- Consider and prioritize the use of available vessel management tools such as, but not limited to, routing, areas to be avoided, vessel speed reduction, and/or reconsideration of shipping lane adjustments as proposed by the U.S. Coast Guard PARS;
- Develop and issue a report with recommendations that allow agency managers to consider dynamic management and/or other management options;
- Consider how to scale-up the incentive-based voluntary vessel speed reduction program;
- Complete a work plan and timeline for implementing the recommendations.

Literature on these historic and current actions and recommendations has been provided to the MSWG, and will be summarized during the upcoming April 30, 2015, webinar. Please refer to the: *Approach to Implementing the Marine Shipping Working Group's Charge For Discussion with MSWG* PDF, provided ahead of the February 25, 2015 meeting. Furthermore, the upcoming April 30 webinar will include a review of shipping management approaches (e.g., routing), and the processes by which they are adopted. Armed with this historical information and the available tools, the MSWG is encouraged to explore and develop ship traffic management, education and outreach, and research advice, focusing on the Study Region described below.

Development of Proposals Taking into Consideration Different Shipping Traffic and Whale Patterns

MSWG proposals and recommendations should build on lessons learned, using the best available data and information. As part of each MSWG proposal or recommendation, MSWG members should provide specific text describing the effectiveness of the proposal under different shipping traffic and whale patterns toward achieving the MSWG Goals. The range of proposals at a minimum should include the following:

- The current situation where ships and/or whales are located north and south of the northern Channel Islands;
- The situation where shipping or whales occurs predominantly in the Santa Barbara Channel; and
- Consideration of additional possible future shipping and/or whale patterns.

MSWG members are invited to define additional potential future shipping or whale patterns by uploading ideas into SeaSketch. MSWG support staff and SeaSketch team members are standing by to assist with using this tool.

Geographic Scope – The Study Region

MSWG deliberations and recommendations to the SAC should focus on the Study Region depicted in the map figure below. The Study Region is the geographic area with a northern boundary at 34° 34' N; a western boundary at 120° 580' W; a southern boundary at 33° 18' N; and an eastern boundary 33° 18' N and the mainland shoreline. This area encompasses the Santa Barbara Channel, the approaches to Los Angeles-Long Beach Ports; particularly the area south of San Miguel, Santa Rosa, Santa Cruz and Anacapa Islands; and north of San Nicholas and Santa Barbara Islands where vessel traffic has been identified. At the heart of the Study Region, is the Channel Islands National Marine Sanctuary. Additional features and considerations that define the Study Region include:

- Existing Traffic Separation Scheme (TSS or shipping lanes) in the Santa Barbara Channel;
- Concentration of regional shipping traffic occurring outside an existing TSS (i.e., south of CINMS);
- Geographic extent of the best available regional human use and biological data and information, including, but not limited to, whale and air quality data and military use areas;
- Whale Advisory Zones prescribed by NOAA in recent years;
- Seasonal management areas and vessel speed reduction zones employed to date; and
- The 2009 U.S. Coast Guard Port Access Route Study region.

MSWG support staff recognizes the global extent of the shipping industry, the large-scale movements of endangered whales, and additional factors, such as local, regional and federal jurisdictions that have different geographic scales.

MSWG support staff also recognizes that ongoing and future education and outreach, research and monitoring will be needed in and beyond the Study Region. Similarly, any prescribed management actions in the Study Region will require an understanding of the effects on areas outside Study Region boundaries. For example, when NOAA and the U.S. Coast Guard recommended (and the International Maritime Organization eventually adopted) narrowing the TSS in the Santa Barbara Channel, the agencies also recognized the need to narrow the TSS approaching the ports for navigational safety and consistency.

