



**SAN JUAN COUNTY  
MARINE RESOURCES COMMITTEE &  
CITIZEN'S SALMON ADVISORY GROUP**

**Thursday, December 5th, 2019**  
**8:30 AM-10:30 AM**  
**CAG Meeting 10:30 AM – 11:00 AM**  
**Call in number: 1 (360) 370-0599** Conference ID: 285694

**The Grange**  
 152 First St N, Friday Harbor

**Agenda**

8:30 AM	<b>Convene Meeting</b> <i>Karin Roemers-Kleven, Chair</i>
8:35 AM	<b>Citizen input</b>
8:40 AM	<b>Acceptance of November Retreat meeting minutes</b>
8:45 AM	<b>NOAA proposals for comment</b> Proposed extension of Critical Habitat designation for SRKW & humpback whales Public scoping on ways to reduce vessel impacts on killer whales
9:20 AM	<b>NW Straits Commission update</b> – <i>Christina Koons/Laura Jo Severson</i>
9:35 AM	<b>MRC business</b> <i>Frances Robertson</i> MRC workplan – Review and confirm MRC Symposium – attendees to confirm Salish Sea Ecosystem Conference participation Speaker ideas for 2020
9:55 AM	<b>Project Updates</b> <ul style="list-style-type: none"> <li>• Southern Resident Killer Whales <i>Frances Robertson</i> <ul style="list-style-type: none"> <li>a) Seattle boat show volunteer sign-up</li> </ul> </li> <li>• Plastic Free Salish Sea: <i>Karin Roemers-Kleven</i></li> <li>• MSA plan revision           <ul style="list-style-type: none"> <li>a) Survey for information collection</li> <li>b) Next subcommittee meeting</li> </ul> </li> </ul>
10:20 AM	<b>Any Other Business</b>
10:30 AM	<b>Adjourn meeting</b>
10:30 AM	<b>Convene CAG meeting:</b> <i>Karin Roemers-Kleven, Chair</i>
	<b>Salmon Recovery</b> <ul style="list-style-type: none"> <li>• San Juan Salmon Recovery Chapter Update</li> <li>• Project funding increase request</li> </ul>
11:00 AM	<b>Adjourn CAG meeting</b>

Attached files: Retreat notes, draft MRC 2020 workplan, NOAA slide deck on public scoping for reducing vessel impacts, slide deck on diluted bitumen mapping from retreat and associated maps.

**Committee Members in Attendance:** Cathleen Burns, Megan Dethier, Jeff Dyer, Phil Green, Lovel Pratt, Ivan Reiff, Karin Roemers- Kleven

**Ex-officio and County support staff:**, Frances Robertson, Sam Whitridge

**Public:** Tom Cowan, Eric Eisenhardt, Laura Ferguson

8:35 AM Convene Meeting

*Karin Roemers-Kleven, Chair*

8:35 AM Citizen Input

Tom Cowan, appointee to NW Straits Commission, lives on Lopez, original SJC MRC member in 1998

8:36 AM Acceptance of November Retreat meeting minutes

Lovel made few changes. Megan moves to approve, Phil seconds, Jeff abstains. Minutes approved.

8:45 AM NOAA proposals for comment

*Frances Robertson*

**Proposed extension of Critical Habitat designation for SRKW & humpback whales,  
Public scoping on ways to reduce vessel impacts on killer whales**

Three proposals: critical habitat for humpbacks, SRKW critical habitat revision, and vessel regulation public scoping comments. Lovel, Phil, Ivan, Frances were at recent Vessel Reg. Scoping meeting

### **1. Proposed Revision of critical habitat for Humpback Whales**

Three distinct population segments of humpbacks: endangered western pacific, endangered Central American (< 800 whales total) and threatened Mexican (< 3000 whales total)

Main threats are ship strikes and entanglements (22 known last year = increase from previous years)

Proposed areas for Mexican pop: Alaska, WA, OR, and CA; Central American pop: WA, OR, and CA.

Includes waters on the US side of the Juan de Fuca Strait up to Port Angeles, not the Salish Sea

*Ivan: we're seeing humpbacks regularly, almost daily.*

*Frances: It's prey-related. Recent symposium recording with talk about humpbacks available online*

ACTION ITEM: Frankie will send a link to that recording

[https://www.youtube.com/watch?time\\_continue=4&v=IAOjcEmzP2E&feature=emb\\_logo](https://www.youtube.com/watch?time_continue=4&v=IAOjcEmzP2E&feature=emb_logo)

*Q: is there any chance of getting the inland Salish Sea designated as part of the critical habitat?*

*A: we can make that comment, but they're not designating now because there's not sufficient data.*

*Lovel: comment that critical habitat expansion into inland sea should be considered for the future.*

*Frances: comment period for humpbacks closes Jan 31<sup>st</sup>*

ACTION ITEM: Frances will look for data on humpback ship strikes

*Q: are BC pilots for shipping required to report whale ship strikes?*

ACTION ITEM: Frankie will find out about that

The Navy proposes the Quinalt Range site off WA coast as an exclusion area, claim the proposed critical habitat would impact their ability to test equipment/systems and therefore national security. NOAA determined that would be appropriate

*Ivan: humpbacks aren't using the entire Quinalt Range but they are traveling through it. As the MRC we don't need to consider the Navy's needs. We can comment that this area shouldn't be excluded. Currently Navy can't test explosives within 50 kn from shore but can use sonar within that range.*

ACTION ITEM: Frankie will send around these slides

RECOMMENDATIONS: <https://www.govinfo.gov/content/pkg/FR-2019-10-09/pdf/2019-21186.pdf>

MOTION: Lovel moves that Frankie draft a comment letter for the council to consider with regard to proposed critical habitat for Humpbacks, Jeff seconds. All approve

## **2. Proposed Revision of SRKW critical habitat**

1. 'Summer core area' = Haro Strait and SJI, 2. Puget sound area, 3. Strait of Juan de Fuca area.

Critical habitat requirements: water quality, prey, passage conditions allowing migration/foraging.

Proposal for 6 new areas along WA, OR, & CA. Range 6.1m-200m depth contour

NMFS is not proposing to include anthropogenic sound as a physical or biological feature.

The Navy is requesting the Quinalt Range Site (QRS) + 10km buffer as exclusion from Critical Habitat.

*Q: Do river systems in the QRS supporting chinook/coho runs? Includes Hoh, Queets, and Quinalt*

*Lovel: our comments should point to the potential presence of salmon in those rivers as whale prey*

*Ivan: based on trends for SRKW for last few years on outer coast they could be anywhere in that*

*range. In inland waters in 2017 J pod was only in Salish Sea (east of PA, south of Nanaimo) 88*

*days/24% of the year, K pod only 36 days, L pod only 47 days. In 2018: J 113 days, K 37 days, L 38*

*days. In 2019 (only through the end of October): J was here 81 days/26% of that period, K only 22*

*days/7% of the time period, L 20 days/6.6%. This critical habitat is way overdue and we should push*

*the Navy on this exclusion zone. It cuts up the critical habitat making transit inaccessible*

*Frankie: for the QRS, tagged whales mostly from K & L pods, mostly in Southern area. The area*

*represents 16.4% of whales' winter range. Median time 13 hours with average 6 days between visits*

*NOAA says insufficient analysis to determine whether Navy activities would adversely affect whales*

MOTION: Lovel moves that Frankie draft a comment letter for the council to consider with regard to proposed critical habitat for SRKW. (And that humpback letter can be put off to right after the 1<sup>st</sup> of the year as to not confuse council. Deadline for SRKW comments is 12/18). Phil seconds, all approve.

Marine Mammal Commission report due on 12/20

Previous MRC comments: Supported inclusion of SJI region in critical habitat for SRKW,

recommended shallow nearshore waters be included, and that NOAA consider impacts of oil spill

*Q: Can we request that Council attach 2016 letter to this letter? Those are all good points*

## **3. Reduce vessel impacts on SRKW**

NOAA says impacts on finding prey and from vessel strikes are now well-studied.

Scoping comment period deadline: December 23<sup>rd</sup>

*Lovel: one aim during this scoping period is to get some transboundary consistency in regulations*

*Ivan: Canadian interim measures for 2019 expired at end of October, they're re-starting the process*  
*Lovel: There's value to improving whales' environment through mitigating vessel impacts*  
History: 2009 MRC approved 200 yd approach, 7 kn speed limit within 400 yards of whale waters.  
There must be enforcement and education, NOAA to work closely with Soundwatch  
MRC did not support the no-go zone as written because of community concerns

*Jeff: traffic separation scheme info about specific locations (?)*

**ACTION ITEM: Jeff will send that data to Frankie**

*Frankie: the idea is that we come up with a suite of options for 'quiet zones' for SRKW to forage on the West side, and we present that to the Feds who have the authority to enforce it.*

- We support uniform regulations. We encourage transboundary cooperation with consistent messaging. This group supports the effort to look at where foraging-based zones make sense

Conclusion to this discussion: Frankie will draft a letter including the following,

1. NFWF grant research that's underway
2. Continued education and outreach to boaters
3. Enforcement & following Washington state's lead with regard to boating regulations (and include comments from 2009)

MOTION approving this Conclusion by Cathleen, Phil seconds. All in favor.

10:18 AM MRC Business

*Frances Robertson*

MRC workplan – Review and confirm

Everyone reviews committees and assignments. Confirm Jeff is on oil-spill prevention committee  
Frankie asks, Seattle boat show, January 24 – Feb 1 (9 days) – is anyone interested in helping?  
Jeff in January, Karin can help. Ivan and Lovel will be out of town

**ACTION ITEM: Frankie will send around sign-up sheet for that**

*Q: anyone want to distribute leaflets to stores? A: Jeff can do some of that on Lopez*

*Lovel: I can connect with the Oil spill prevention committee. Mostly want to get effectiveness analysis done soon, should be connected with the legislative session.*

*SO, subcommittee meetings in Jan and Feb, and task: secure funding for ERTV effectiveness analysis*

*Q: who's doing vessel subcommittee?*

*A: last year it was Karin, Lovel, Ivan, Laura Jo, Jeff, Jeff, and Frankie. Just need to decide where we want to take that in next year –aim for subcommittee meeting in March, will look at foraging areas*

This workplan will be taken to the Council for their approval

MOTION: Phil moves to approve workplan, Jeff seconds, all approve

- MRC Symposium, January 8<sup>th</sup> at Padilla Bay – confirm attendees  
Karin (to talk about PFSS), Lovel and Cathleen are going, Phil, Laura Jo and Jeff are maybes.

- Salish Sea Ecosystem Conference participation

We are presenting 3 projects: whale flags (Frankie), PFSS (Karin), MSA update (Abigail)  
Full registration is \$455. Cheapest shared hotel & parking = \$648. Most prefer to share that as follows: Registration for 5 members + registration and accommodation for Frankie & Abigail

Phil, Karin, Cathleen, Jeff and Sam Whitridge plan to attend. Lovel will be there but doesn't need support. Karin need registration not accommodation. Phil needs both.

- Speaker ideas for 2020
  - hopefully Tulalip in Feb/March
  - pinnipeds
  - Taylor to talk about Soundwatch data, hopefully in January (after that he's moving to Colorado) – likely to happen in June 2020
  - interest in Don Noviello from DFW regarding oil spill response – March?

10:35 AM Adjourn Meeting. Phil moves, Cathleen seconds.

10:35 AM Convene CAG Meeting

*Karin Roemers-Kleven, Chair*

Sam distributes Byron's Cost Increase request for Mackaye Harbor Restoration Design

- shift in project manager from Kendra to Byron, Kendra's time was funded by County but not Byron
- scope of the study has expanded, additional sites. Grant amount needs to be increased by \$12,500

IF CAG is ready to sign off on this, then Sam will take it to TAG and if they approve then to RCO  
MOTION: Lovel moves to approve the additional cost increase. Phil seconds, all approve

- Ribbon cutting event for the West Beach Culvert Restoration project, Dec. 11<sup>th</sup> 1pm. This is our longest-standing active project, first funded in 2015. Historically there were cutthroat run at this site  
ACTION ITEM: Sam, can you send out before and after photos of the culvert?

- SRFB meeting next week in Olympia. Decisions/final approvals on 2019 grants for projects

- San Juan Salmon Recovery Chapter Update, having our first subcommittee meeting in January  
Phil: suggest Jenny DeGroot for the TAG  
Sam: I'll reach out to her (and talk about it with Byron). It's important to coordinate with freshwater.  
ACTION ITEM: Sam will contact Jenny about being on this subcommittee

10:46 AM Cathleen moves to adjourn CAG Meeting, Phil seconds. CAG meeting adjourned

10:46 AM Reconvene MRC

- Terry needs to resign from MRC now after 6 years. Interested in applying again in a few years  
ACTION ITEM: Frankie will see if Terry is willing to remain on MSA update committee – He is! Yey!  
MRC = 15 members at most. Some discussion of potential new MRC members, ideas include:  
Board of FH, Harbormaster(s), considering a better distribution of members from other islands.  
Karin: we're looking enthusiasm, time and willingness to volunteer. We need active members, not just coming to meetings but participation on projects. And think of harbors, not just other islands.  
ACTION ITEM: Sam and Jeff will think about potential new members from Orcas and Lopez  
ACTION ITEM: Karin will approach Jeff F. about whether he will be able to stay involved at this time

## UPDATES

- MSA: Frankie and Abigail have received guidance from the committee, now revising survey,  
ACTION ITEM: Frankie to send out doodle poll to set date for the subcommittee to meet in January

10:57 AM Lovel moves to adjourn, Megan seconds. Meeting adjourned