

National Oceanic and Atmospheric Administration

Announcement of Cordell Bank as an Active Candidate for National Marine Sanctuary Designation

AGENCY: Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: NOAA is naming Cordell Bank an active candidate for possible national marine sanctuary designation and will proceed with subsequent steps in the evaluation process. The site, located off the coast of northern California, was placed on the marine sanctuary List of Recommended Areas (LRA) in August 1981. Additional information on the site was collected and used to prepare a "Cordell Bank Resource Summary and Site Description." This summary was distributed in July 1982 in order to receive comments on the feasibility and desirability of a national marine sanctuary at Cordell Bank. NOAA has reviewed the comments submitted and evaluated the site under the criteria and other requirements of the National Marine Sanctuary Program Regulations in naming Cordell Bank an active candidate. Because of the Bank's proximity to the existing Point Reyes-Farallon Islands National Marine Sanctuary, NOAA will focus future sanctuary evaluation on combining Cordell Bank with the Point Reyes site.

FOR FURTHER INFORMATION CONTACT: Rafael V. Lopez, (202) 634-4236.

ADDRESS: Sanctuary Programs Division, Office of Ocean and Coastal Resource Management, National Ocean Service, NOAA, 3300 Whitehaven ST., N.W., Washington, D.C. 20235.

SUPPLEMENTARY INFORMATION: Title III of the Marine Protection, Research and Sanctuaries Act authorizes the Secretary of Commerce, with Presidential approval, to designate ocean waters as national marine sanctuaries for the purpose of preserving or restoring their conservational, ecological or esthetic values.

In July 1981 NOAA received a marine sanctuary recommendation from Cordell Bank Expeditions, a nonprofit scientific

association dedicated to the exploration and description of Cordell Bank. Cordell Bank is an undersea elevation consisting of a complex series of submerged steep-sided ridges and narrow pinnacles on the edge of the continental shelf. The site is located 20 miles due west of the Point Reyes peninsula, and approximately 50 miles west-northwest of San Francisco, California. The Bank is situated atop an underwater promontory that thrusts out towards the deeper oceanic waters of the north Pacific basin. The rapid drop-off of the continental slope lies nearby to the west and north with depths of over 2,000 meters within a few miles of the Bank. To the east is the relatively wide continental shelf off Point Reyes. Cordell Bank lies on a seafloor plateau 300-400 feet deep and rises to within about 115 feet of the surface. Many uncharted features are found throughout the area. While a full characterization of the Bank has not been made, several of the shallower areas have been explored in some detail. These areas support extensive biological communities, which were the basis for the recommendation.

NOAA evaluated the sanctuary recommendation according to the criteria specified in the National Marine Sanctuary Program regulation (15 CFR 922) and found Cordell Bank eligible for inclusion on the LRA. The LRA is a list of areas that have at least some potential for being designated a marine sanctuary. Placement on the LRA is a preliminary step, however, and does not imply that a designation will occur. NOAA announced the placement of Cordell Bank on the LRA on August 31, 1981 (46 FR 43731). That notice specified the LRA criteria that the site met.

NOAA collected additional information on the natural resources of Cordell Bank and prepared a resource summary and site description, which is available from the address listed above. The summary was distributed in July 1982 and additional information and public comment relating to the site and its designation potential were requested. Recipients included state and local agencies, academic institutions, industry representatives, conservation groups and other interested parties. Preliminary consultation with other Federal agencies was also conducted at that time. Overall, comments were generally favorable for proceeding with the evaluation of the site as an active candidate.

Concurrent with the evaluation of Cordell Bank for active candidate selection, NOAA has been in the process of modifying the procedures used for identification and selection of marine sanctuary candidates and for sanctuary designation. Revised final regulations were published on May 31, 1983 (48 FR 24297). They will become effective on June 30, 1983. The revised regulations reflect the refinements and programmatic policies outlined in the Program Development Plan for the National Marine Sanctuary Program (January 1982). The regulations eliminate the LRA and replace it with the Site Evaluation List (SEL) procedure, which NOAA began implementing in February 1982. NOAA used eight regional resource evaluation teams, comprised of knowledgeable scientists with regional research experience, to identify, evaluate, and recommend sites suitable for sanctuary consideration in accordance with site identification criteria developed for the SEL.

Cordell Bank was not included in the Eastern Pacific SEL team's review of existing LRA sites since additional information was already being collected for active candidate evaluation. However, to ensure consistent high resource values among sanctuaries Cordell Bank was evaluated under preliminary SEL criteria at the time of LRA placement and found to meet those standards as well. For active candidate selection the site was evaluated under both the current regulations and the active candidate criteria of the revised final regulations. As a result of this evaluation, Cordell Bank is being named an active candidate for further consideration as a national marine sanctuary. The factors listed below form the basis for this determination.

Current Selection Criteria

Selection criteria from the current National Marine Sanctuary Program regulations at 15 CFR 922.23(a):

(1) *The significance of resources identified during the review for placement on the LRA.* Information collected since the LRA notice was published has further defined the variety of habitats found at Cordell Bank, and has shown its importance to a large number of species. The site's location at the edge of the continental shelf and its isolation from nearshore environmental processes is unique in the region. Cordell Bank is characterized by a

combination of oceanic conditions and undersea topography that provides for a highly productive environment in a discrete, well-defined area. The prevailing California Current flows southward along the coast and is deflected by the Bank, causing the upwelling of nutrient-rich, deep-ocean waters. This upwelling stimulates the growths of planktonic organisms and results in an exceptionally vigorous biological community. These characteristics support the entire food chain up to the larger species, the seabirds, fish and marine mammals that are attracted to this locally productive environment. To date, 293 individuals species representing 288 genera of plants and animals have been collected or identified at Cordell Bank. Several previously undescribed species have been found on the Bank as well as many algal and invertebrate species whose presence at the Bank have set new range and depth extension records. Cordell Bank is also a focus for the feeding activity of a number of marine species. Thirty species of seabirds have been identified as they congregate above the shallower areas of the Bank to feed, as well as thirteen species of pinnipeds and cetaceans. The endangered Brown pelican is seen there frequently in fall months, prior to the start of the breeding season. The endangered humpback whale (*Megaptera novaeangliae*) has been observed feeding over the Bank, while the blue whale, also an endangered species, has been sighted travelling through the area. The hydrocoral *Allopora californica*, uncommon in other areas, is found in large numbers throughout the Bank, a function of both the high water quality necessary for this species and the absence of collection pressure. Several species associated only with the hydrocoral, and dependent on it, are also found there.

(2) *The ability of NOAA to support full review of the site as an active candidate.* After Cordell Bank is named an active candidate, NOAA will begin preparing a draft designation document and a draft management plan to implement the designation. NOAA will consult with relevant Federal, state, and local agencies, Regional Fishery Management Council members, and other interested persons in preparing the plan. A draft environmental impact statement (DEIS) will be prepared on the designation document and management plan, including any draft regulations. The plan and the DEIS will be prepared in a timely manner to allow maximum public review. Early in the development of the sanctuary documents and the

DEIS, public meetings will be held in the areas most affected to solicit public and government agency input on the significant issues related to the proposed action.

NOAA has allocated adequate resources to carry out the review of Cordell Bank for marine sanctuary designation as prescribed in the Program regulations under the time limits specified therein. Subsequent actions in the designation process for this site will be announced in the **Federal Register**.

(3) *The following additional factors:*

(i) *Existing or potential threats to the resources.* Present use levels have remained low enough to maintain the site in a relatively undisturbed state. Future uses projected for the area are mainly research and recreational in nature. Threats from these activities on the resources are not foreseen. However, a monitoring program would be incorporated into the site's research program to ensure that the resources are not being degraded.

In the past, Cordell Bank's location served to protect it from potential threats. Commercial activities are limited and recreational use, especially sport diving, can be a difficult undertaking. Weather conditions tend to limit human use to the fall when seas, winds and visibility are most predictable. The extent of resources of the bank have remained virtually unknown until recently. The first non-military underwater surveys of the bank occurred in October 1978. While projected commercial activities at this time do not appear to pose any major threat to the site's resources, so little is known about the Bank and its interrelationship with other ecological features in the area that all future threats cannot be accurately predicted. Increased recreational use could adversely affect invertebrate populations, particularly the *Allopora* hydrocoral, as a result of greater diving and anchoring pressures. An increase in boat traffic, especially that related to nature viewing, could significantly disturb the sensitive marine mammal and seabird populations that are being observed. A more in-depth analysis of threats and mitigating measures, such as additional regulation, is required in the course of management plan development.

(ii) *Existing regulatory mechanisms.* Cordell Bank lies entirely in Federal waters and is not protected by any site-specific regulatory mechanism. Federal regulations pertaining to the protection of the marine environment at the site are administered by a variety of government agencies. Enforcement of these

regulations is uncertain and is not designed specifically to protect the site. No increase in present resource protection activities is likely. Management-related research and educational efforts designed to protect the values of the site are not addressed under the current regulatory regimes.

(iii) *Significance of the area to research opportunities.* Cordell Bank's unique location and surroundings provide numerous research opportunities to study colonization and distribution of the species found there. The oceanographic conditions found at the Bank have created an unusual zonation of habitats resulting in significant subtidal communities at uncommon depths. The Bank also provides opportunities to study the feeding behavior of the larger predator species that are drawn to the productive waters. Its proximity to the San Francisco and Bodega Bay areas makes it fairly accessible for scientific purposes, while still remaining isolated enough so that it represents a pristine control area for research in other sites.

(iv) *Complement to other public or private programs.* Cordell Bank is located northwest of the Point Reyes-Farallon Islands National Marine Sanctuary, which was designated in January 1981. Sanctuary status would allow for the coordinated management of both areas as a single unit. Cordell Bank would also complement the Point Reyes National Seashore, Golden Gate National Recreation Area and Farallons National-Wildlife Refuge (all administered by the Department of the Interior) and several state and county parks and preserves by providing comprehensive resource management in an adjacent area and by providing research opportunities on organisms frequenting or interpreted by those sites. Numerous research institutions and nature viewing groups that use the Bank would also benefit from the management approach offered by marine sanctuary status.

(v) *The esthetic qualities of the area.* From the surface Cordell Bank has historically been easily recognized by the large numbers of seabirds and marine mammals found there. The presence of these animals are a strong indication of the Bank's productivity. Beneath the surface, in the unusually bright waters at 115 feet (34m) (the Bank's shallowest known point) and deeper, the visual appearance is one of large collections of sponges, anemones, hydrocoral, hydroids, tunicates, and an occasional crab, holothurian or gastropod. Divers' reports describe a visually spectacular, yet fragile, scene

where competition for the limited available space is a major factor in restricting biological communities. Often faunal encrustation is more than 25 cm thick, and it is always brightly colored, mainly in reds, white, yellows and pink.

(vi) *The type and estimated economic value of the natural resources and human uses within the area which may be foregone as a result of marine sanctuary designation.* It appears unlikely that any significant economic impacts would result from the designation. Cordell Bank provides opportunities for a range of recreational and commercial activities, principally boating and fishing. No restrictions with significant adverse impact affecting either activity are envisioned. In addition, the scientific research opportunities, public education programs, and resource management efforts that will result from sanctuary designation will increase public awareness of the site's resources and their importance in the marine environment and will provide a further measure of protection. These actions will have a beneficial impact on the natural resources and human uses within the area. Therefore, no major economic impacts are expected to present or future commercial and recreational users. A thorough analysis of the economic impacts resulting from the designation of a marine sanctuary will be conducted as part of the designation process.

(vii) *The economic benefits to be derived from protecting or enhancing the resources within the sanctuary.* The protection of the resources of Cordell Bank will permit them to be used and enjoyed for maximum compatible public and private use indefinitely. Protection will also allow new compatible uses to develop. For example, the return of humpback whales and other large cetaceans to the Cordell Bank-Farallon Islands areas has resulted in increased recreational and commercial boating to view these animals during their summer feeding season. Sanctuary interpretive and educational programs could be designed to enhance public understanding of the marine environment during these outings. Economic benefits may derive from the protection of an area of high marine resource value, which may have positive effects on existing compatible uses.

Revised Selection Criteria

The following criteria are found in the revised National Marine Sanctuary Program regulations at 15 CFR 922.30 (48 FR 24297). The procedures for active candidate selection under the revised regulations are similar to those under

the existing rules. Only the criteria that were not addressed earlier in this notice are presented below. These additional standards are directed mainly towards NOAA sanctuary evaluation requirements related to programmatic and management-oriented needs.

(b)(1) *Site's relative contribution to the Program's mission and goals.*

The mission of the Program provides that "designated sanctuaries should be illustrative of the nation's marine areas." Cordell Bank is a unique feature not represented in the national system of marine sanctuaries. Together with the existing Point Reyes-Farallon Islands National Marine Sanctuary it represents a significant ecological system on the northern California coast. It provides opportunities through research and public educational programs not only to enhance an awareness of the site's resources but also to illustrate the complex nature of the marine environment and show the importance of the simpler life forms at the beginning of the food chain. The multiple compatible use goal of the Program can be fully realized at Cordell Bank.

(c)(3) *Benefits to be derived from sanctuary designation.* A national marine sanctuary at Cordell Bank would allow for the creation of a comprehensive research program that considers the resources of the nearby Point Reyes-Farallon Islands National Marine Sanctuary. While Cordell Bank has no landbase, it is used as a feeding area by many of the seabird and marine mammal species found in the Sanctuary. Information collected since the Bank was placed on the LRA indicates a closer association to the existing Sanctuary than was originally presumed. Geologically, the Bank is part of the same formation as the Farallon Islands and it experiences similar oceanographic conditions. The coordination of regulatory and educational activities with those of the existing Sanctuary would also benefit both areas.

(b)(4) *Feasibility of sanctuary designation, in terms of size, requirements for management, staffing and fiscal constraints.* Cordell Bank has high potential for designation in this category. The size of the area now under consideration, encompassing the 50-fathom contour, is approximately 22 square miles. This is an easily delineated, manageable area with a high concentration of resources. Existing onsite management staff and facilities for the Point Reyes-Farallon Islands National Marine Sanctuary would be used for the majority of programs

envisioned. The research component of the management approach would be the emphasis of the designation. Since *in situ* uses are expected to remain low even after designation, most offsite interpretive and educational activities could take place in conjunction with those for the Point Reyes-Farallon Islands sanctuary.

Because of the existing management framework for the Point Reyes-Farallon Islands sanctuary, NOAA will focus sanctuary evaluation on combining Cordell Bank with the existing sanctuary. This will allow greater flexibility in administering research and educational programs for the entire area. However, any regulations that may be proposed for Cordell Bank will be developed independently of those at Point Reyes. Under Program regulations NOAA is required to conduct a separate analysis, including a separate environmental impact statement, for each designation or change in a designation. Therefore, the terms of a Cordell Bank marine sanctuary could differ from those of the Point Reyes sanctuary.

Subsequent Actions

Cordell Bank will be considered for marine sanctuary designation on the basis of further evaluation that will result in the preparation of a DEIS. The DEIS analyzes the implementation of a site-specific management plan, which is included as part of the DEIS, that specifies goals and objectives to ensure protection of the site's resources. A Notice of Availability of the DEIS will be published in the **Federal Register**. Public hearings will also be held in the affected area to receive comments on the draft management plan and the DEIS.

Dated: June 28, 1983.

Peter L. Tweedt,

Acting Director, Office of Ocean and Coastal Resource Management.

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Caribbean Fishery Management Council and Its Administrative Subcommittee; Closed Session of the Council's Open Public Meeting

AGENCY: National Marine Fisheries Services, NOAA, Commerce.

ACTION: The Caribbean Fishery Management Council has amended the agenda for its open public meeting to