

Protecting Wildlife from Low Overflights

*Presentation by Karen Reyna
to the Gulf of the Farallones Advisory Council*

June 7, 2012



Dan Dawson

- ***Update on NOAA Partnership with the Federal Aviation Administration (FAA)***
- ***Proposed timeline for GFNMS to address next steps.***



FAA Partnership: Updating the Aeronautical Charts

Sanctuary overflight restrictions have been in place for many years, and in February 2012 a Final Rule standardized the application of existing regulations, allowing publication on the aeronautical sectionals.

All pilots are required to possess up-to-date aeronautical charts.

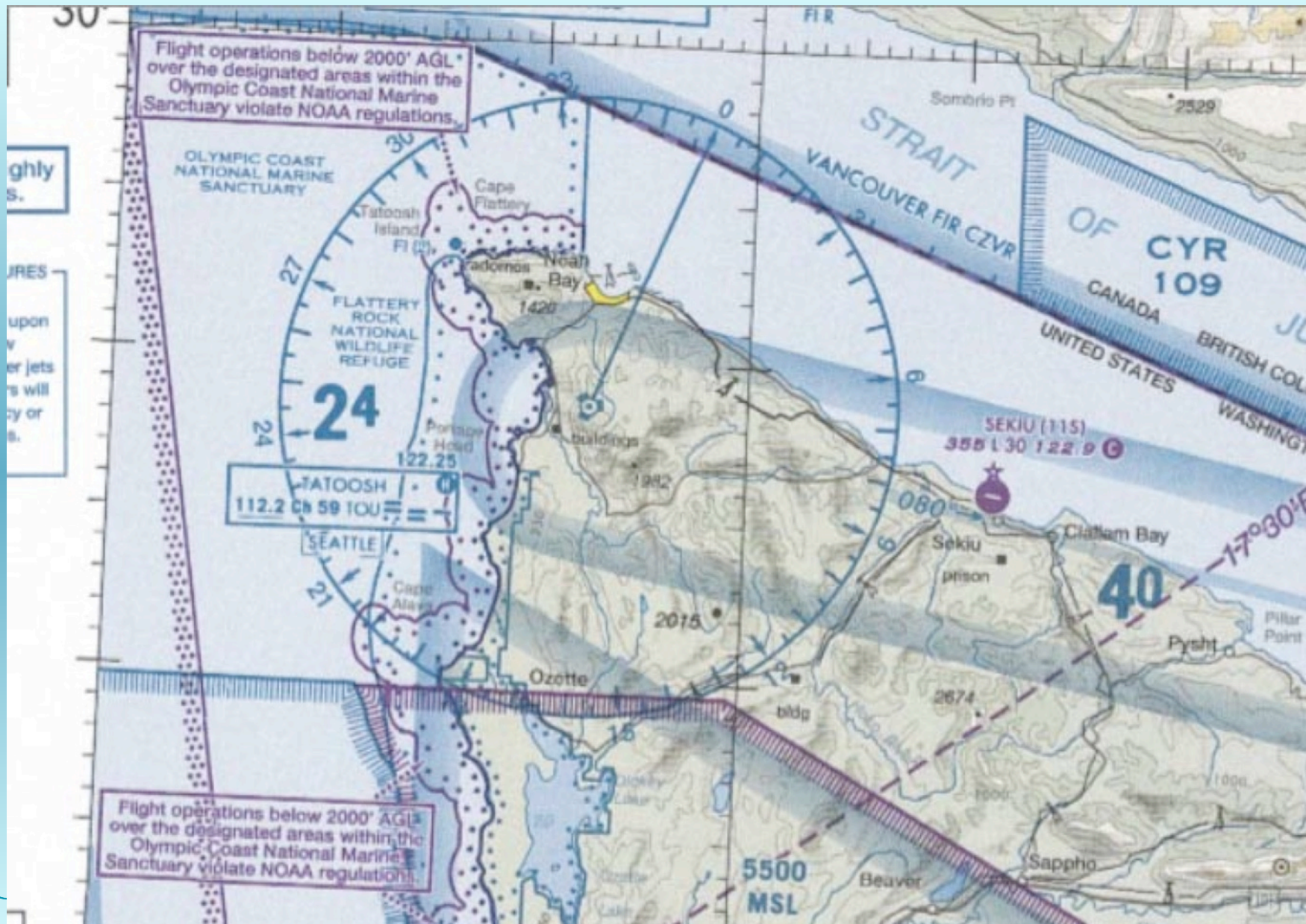


NATIONAL MARINE
SANCTUARIES

Over the next three months the FAA will release updated aeronautical sectionals that include West Coast Sanctuary overflight regulations.



NATIONAL MARINE
SANCTUARIES



NATIONAL MARINE SANCTUARIES



- ***Our region is last in the rotation and is scheduled to be added to the San Francisco Sectional Chart on August 23, 2012.***
- ***The Seabird Protection Network will continue to increase outreach to pilots and will maintain website with local information***

Outreach to Pilots: 2012

National Oceanic & Atmospheric Administration
NATIONAL MARINE SANCTUARIES



NEWS & EVENTS

Pilots: Know Before You Go!

Overflight regulations within Olympic Coast, Gulf of the Farallones, Monterey Bay and Channel Islands National Marine Sanctuaries require that motorized aircraft maintain minimum altitudes above specified locations. Failure to comply with these minimum altitude restrictions is presumed to disturb marine mammals and seabirds and is a violation of federal regulations for the sanctuaries.

Overflight restrictions have been in place for many years, and in February 2012 a Final Rule standardized NOAA regulations across the sanctuaries to reflect a consistent and clear regulatory approach. The regulatory modifications were required by the FAA in order to post a clear notice to pilots on aeronautical charts about low overflight restrictions in national marine sanctuaries along the west coast. Full text of the amendment to the Overflight Regulations for the Channel Islands, Monterey Bay, Gulf of the Farallones and Olympic Coast National Marine Sanctuaries is posted in the Federal Register (Vol 77, No.17; Jan. 26, 2012) as the [Final Rule](#) (PDF, 160KB) effective Feb. 27, 2012.

FAA to Release Updated Aeronautical Sectionals
Over the next three months, the Federal Aviation Administration (FAA) will release updated aeronautical sectionals that include West Coast sanctuary overflight regulations.


Date	Sectional	Displays Overflight Regulations of
May 31, 2012	Seattle Sectional	Olympic Coast National Marine Sanctuary
June 28, 2012	Los Angeles Sectional Chart & Los Angeles Terminal Area	Channel Islands & Monterey Bay National Marine Sanctuaries
Aug. 23, 2012	San Francisco Sectional Chart & San Francisco Terminal Area	Monterey Bay & Gulf of the Farallones National Marine Sanctuaries

- *One-stop shop website with links to all the west coast sanctuaries*
- *Includes messages on the importance of flying high over sensitive wildlife areas*
- *Includes recommended best operating practices that protects both the pilot and the wildlife*


Local Outreach

- ***Throughout 2012, we will present information to pilots at association meetings, fly-ins and flight schools***
- ***We will mail updated information to almost 300 airports, clubs, associations, and private pilots***





U.S. DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
San Francisco Bay National Wildlife Refuge Complex
9500 Thornton Avenue, Newark, CA 94560



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Gulf of the Farallones National Marine Sanctuary
991 Marine Drive, The Presidio, San Francisco, CA 94129

Low overflights cause seabirds to panic and fly, increasing the likelihood of a bird strike!

What happens when aircraft fly too close to seabird breeding colonies?
One low overflight or repeated disturbances during the seabird breeding season can:

- Frighten birds into the air and increase the chance of bird strikes;
- Be very hazardous to pilots. Bird strikes can cause severe plane damage;
- Scare birds off their nests, allowing predators access to eggs and chicks;
- Force eggs and chicks to be abandoned or exposed to adverse weather, which may cause death; or
- Dislodge eggs or chicks from their nest sites.

What YOU can do to prevent seabird disturbance?

- The recommended best operating practice is to **ALWAYS** fly at least 2000 feet AGL over ALL National Marine Sanctuaries, coastal areas, and other sensitive environments. This protects both pilots and wildlife.
- Avoid sudden changes in direction, altitude and speed over sensitive wildlife areas.


It's the LAW!!!

- Disturbance of wildlife by aircraft can be a violation of 50 CFR 19.11, punishable by a \$1,000 citation or a mandatory court appearance that could result in a fine up to \$10,000, one year in jail, aircraft forfeiture, and/or revocation of your airman's certificate.
- The following can be a violation under the National Marine Sanctuaries Act:
 - 1) Flying motorized aircraft at less than 1000 feet over designated zones within Monterey Bay Sanctuary and Gulf of the Farallones Sanctuary. ***Failure to maintain a minimum altitude of 1,000 feet above ground level in these areas is presumed to disturb marine mammals or seabirds.***
 - 2) Taking any marine mammal, sea turtle or bird in or above the Sanctuary (15 CFR, Part 922, Subpart H, §922.82 or 15 CFR, Part 922, Subpart M, §922.132). See enclosed "Pilots Guide Insert" for specific zones and regulations.


For more information or to request additional maps, Pilot Guide inserts, or to schedule presentations contact the Seabird Protection Network at (415) 970-5244 or email California.Seabirds@noaa.gov.

THANK YOU FOR HELPING CALIFORNIA'S COASTAL WILDLIFE!

Sincerely,



G. Mendel Stewart
Manager
San Francisco Bay National Wildlife Refuge



Maria Brown
Superintendent
Gulf of the Farallones National Marine Sanctuary

Local Outreach

Maintain website with local information and update maps to reflect the new aeronautical charts

GULF OF THE FARALLONES
National Marine Sanctuary

NOAA

HOME ABOUT US MANAGEMENT SCIENCE EDUCATION ECOSYSTEM PROTECTION

HELPING SEABIRDS THRIVE...

By reducing human disturbance to sensitive seabird breeding colonies

SEABIRD PROTECTION NETWORK

NETWORK HOME

PILOTS

Laws & Regulations

Maps, Tips & Tools

BOATERS

KAYAKERS

COASTAL VISITORS

ADVISORY GROUPS

NEWS, ARTICLES & LINKS

Report a Disturbance

facebook

Pilots: Fly Seabird Safe!

Birdstrikes: The California coast is home to more than 600,000 seabirds. During the seabird breeding season (January-August) there is an increased chance of birdstrike along the coast. Pilots should avoid flying at low altitudes (less than 1,000' AGL) to reduce their risk of bird strike and to avoid disturbing sensitive wildlife. For up to date information on wildlife strikes, visit the [National Wildlife Strike On-line Database](#). Further details can be found through the [Bird Strike Committee USA](#).

Direct flyovers or multiple passes where sensitive wildlife are located can harm both pilots and wildlife. Areas along the California coast require you to remain 1,000' AGL. These overflight restrictions are required by NOAA regulations and pertain to all aircraft, including rotary-wing (RW) and fixed-wing (FW) aircraft.

Check out our page on [Laws and Regulations](#).

Pilots: Know Before You Go!

NEW! Final Rule on Overflight Regulations for the Channel Islands, Monterey Bay, Gulf of Farallones, and Olympic Coast National Marine Sanctuaries

Full text of the amendment to the Overflight Regulations for the Channel Islands, Monterey Bay, Gulf of Farallones, and Olympic Coast National Marine Sanctuaries are posted in the Federal Register (Vol 77, No.17; Jan. 26, 2012) as the **Final Rule** (PDF, 160KB) effective Feb. 27, 2012.

The Rule requires that motorized aircraft maintain certain minimum altitudes above specified locations within the boundaries of the listed sanctuaries and states that failure to comply with these altitude limits is presumed to disturb marine mammals and seabirds and is a violation of the sanctuary regulations. The final rule does not create a new regulation but clarifies existing overflight restrictions that have been in place for many years. This amendment standardizes the application of our existing regulations, which is an important step that will lead to the printing of sanctuary regulations on the aeronautical sectional charts.

Overflight Laws and Regulations

- Overflight restriction zones along the coast within Channel Islands, Monterey Bay, and Gulf of Farallones Marine Sanctuaries require pilots to remain 1,000 feet AGL. Failure to comply with this altitude limit is presumed to disturb marine mammals and seabirds and is a violation of sanctuary regulations.
- Federal law prohibits the use of aircraft to disturb or harass wildlife.

Addressing the Request for New Zones

2011

- Public comments received requesting new overflight restriction zones

2012

- Final Rule published standardizing application of overflight zones.
- Presentation to SAC
- Overflight zones placed on the aeronautical charts
- Outreach to pilots

2013

- Scoping
 - Seabird Technical Advisory Committee meeting
 - Sanctuary Advisory Council

2014

- Environmental Review
- Possibly linked to Management Plan Review



Scope of Review

- 1) Assessing the known information about disturbance to wildlife by aircraft
- 2) Zone locations
- 3) Size of zones
- 4) Shape of zones
- 5) Addressing new information on wildlife hotspots



Scenario for Seeking Advisory Council Input

Seabird Technical Advisory Committee

- Provides information and makes recommendations to the GFNMS Superintendent

- Ano Nuevo State Reserve
- Bureau of Land Management
- CA Dept. of Fish and Game
- CA State Parks
- Federal Aviation Administration (invited)
- Fitzgerald Marine Reserve
- Golden Gate National Recreational Area
- US Fish and Wildlife Service
- NOAA Office of Law Enforcement
- Point Reyes National Seashore
- NOAA (GFNMS Superintendent)

GFNMS Advisory Council

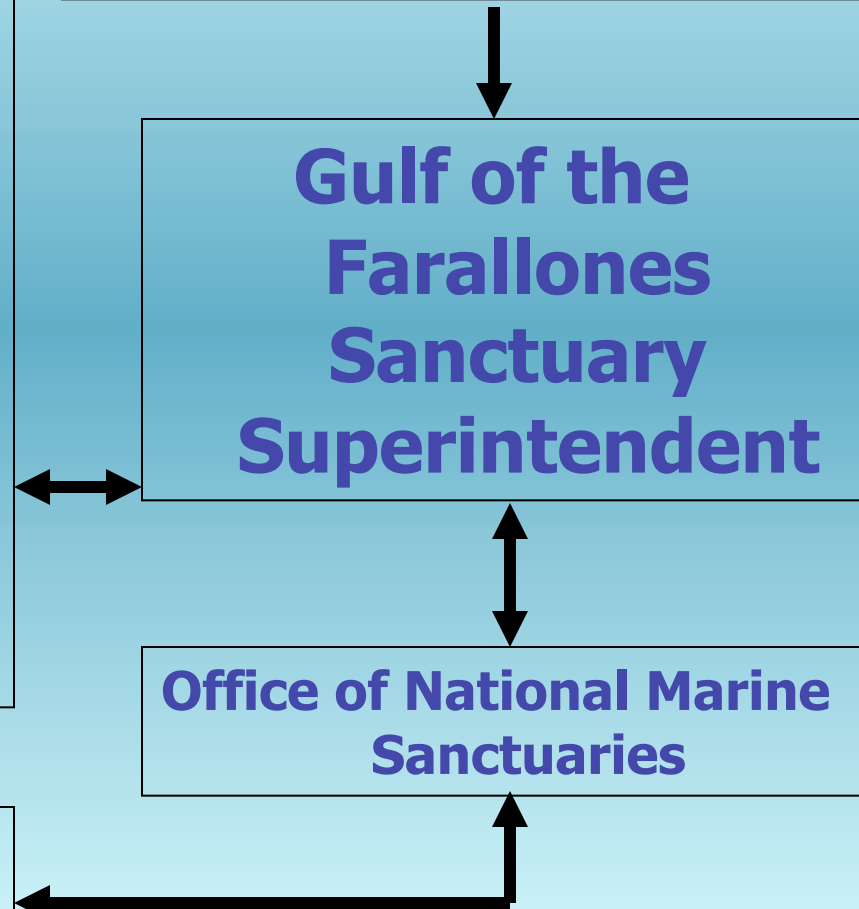
Gulf of the Farallones Sanctuary Superintendent

Office of National Marine Sanctuaries

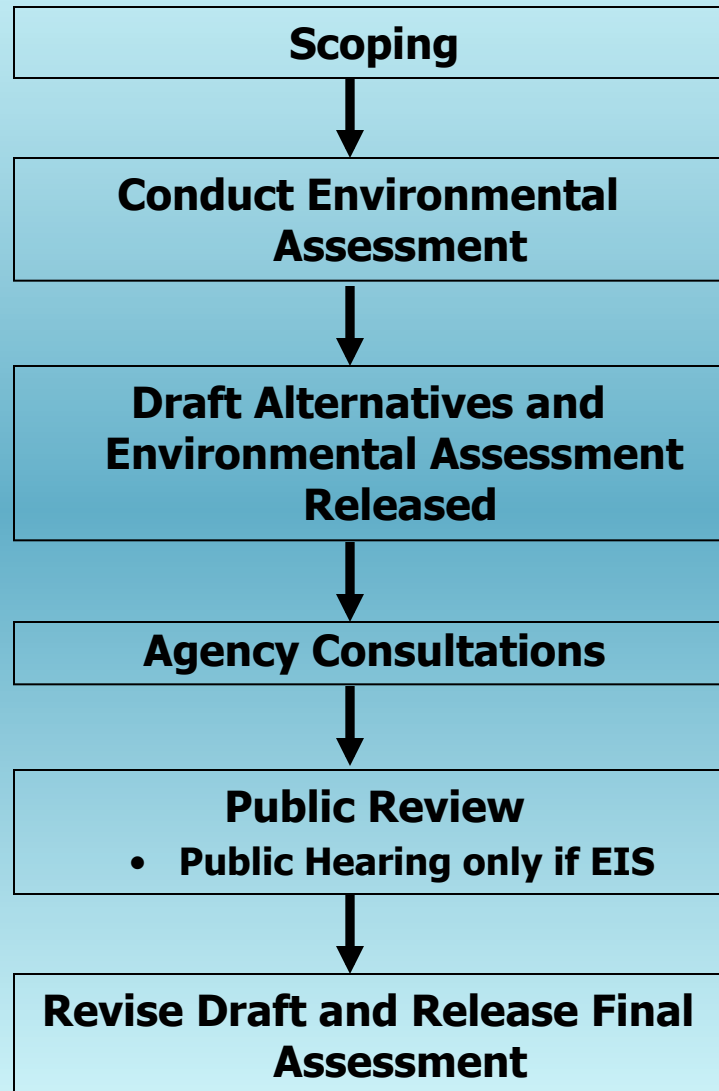
Environmental Review Process



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The Environmental Review Process



Questions?



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