

**MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL**

**FINAL
February 25, 2002
National Steinbeck Center
One Main Street
Salinas**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Monday, February 25, 2002, at the National Steinbeck Center, California. Public categories and government agencies were present as indicated:

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| Agriculture: Richard Nutter | CA State Parks: Lynn Rhodes |
| AMBAG: Stephanie Harlan | Conservation: Vicki Nichols |
| At Large: Ron Massengill | Diving: David Clayton |
| At Large: Jenna Kinghorn | Education: Pat Clark-Gray |
| At Large: Deborah Streeter | Fishing: Thomas Canale |
| Business & Industry: Dave Ebert | Ports & Harbors: Peter Grenell |
| CA Coastal Commission: Tami Grove | Recreation: Heidi Tiura/Dan Haifley |
| CA Dept. of Fish and Game: <i>awaiting appointment</i> | Research: Chris Harrold |
| CA EPA: Craig J. Wilson | Tourism: ABSENT |
| CA Resources Agency: Melissa Miller-Henson | U.S. Coast Guard: LT Tom Stuhldreier |

The following non-voting members were present as indicated:

Channel Islands NMS: LCDR Matt Pickett - ABSENT
Gulf of the Farallones NMS and Cordell Bank NMS: Ed Ueber - ABSENT
Elkhorn Slough NERR: ABSENT
Monterey Bay NMS: William J. Douros

Alternates present:

Ruth Vreeland, AMBAG
Dave Danbom, Fishing
Kaitilin Gaffney, Conservation
Brian Foss, Harbors
Patrick Conroy, At-Large
Kirk Schmidt, Agriculture
Rachel Saunders, Education
Mike Murray, CINMS

I CALL TO ORDER, ROLL CALL. SWEAR-IN OF NEW SAC MEMBER BRIAN FOSS, PLAQUE TO MOSS LANDING HARBOR DISTRICT, PLAQUE TO STEINBECK'S CENTENNIAL

Brian Foss was sworn in as alternate to the SAC Harbor seat.

Linda Horning of Moss Landing Harbor District was presented with a dedication plaque.

Jim Stilwell, former manager of Moss Landing Harbor District, was also awarded a plaque for his four years of service in the SAC in the harbor seat.

Marie Lefebvre, public relations coordinator for Steinbeck Center, welcomed SAC members, and on behalf of the Center, accepted the SAC's sponsorship of an engraved brick to help reconstruct the Center's courtyard.

Mayor of Salinas, Anna Caballero made some comments and welcomed SAC members to the region.

MOTION: (Passed)

The SAC adopted the minutes from the December 7, 2001 Sanctuary Advisory Council meeting, with the following changes.

- Edits on page 4 & 5
- Add Kaitilin Gaffney's testimony

Motion introduced by Vicki Nichols, seconded by Deborah Streeter
(Vote:16 in favor, 0 opposed (unanimous))

II. COUNCIL MEMBER & STAFF ANNOUNCEMENTS

Bill Douros reported on progress with the Joint Management Plan Review. He referred to an email he sent to the SAC about a visitor center update, as Monterey Bay Aquarium was mentioned as a site the MBNMS should consider in a television editorial. Bill also reported on the meetings around the county, supported by NMSP Director, Dan Basta, that provide forums for exchange for common thoughts and issues. Recent workshops include the SAC Chair & Coordinators workshop in Florida, the research coordinator workshop in North Carolina, the leadership team meeting, and the upcoming education coordinator workshop in Florida. The 2002 September meeting of the leadership team (Managers) for the National Marine Sanctuary Program, is planned for Santa Cruz.

Ruth Vreeland requested that workshop reports be generated in order to share highlights on the meetings, and Bill said staff would send those around when available.

A Seacliff resident asked why the visitor center feasibility is limited to three sites; Seacliff State Beach, Heritage Harbor in Monterey, and a site to be determined in Santa Cruz. Bill responded that the thinking has been that the State is interested in doing something at Seacliff, and there is a high visitation already. Bill gave an update on where we are now. Lynn Rhodes gave comment on the Sanctuary's position being consistent with California State Beach plans for that location.

Vicki Nichols announced the upcoming SOS fisheries forum in March.

Chris Harrold announced three events: March 9th Sanctuary Currents Symposium; March 10th PISCO event; and, the MLML Conservation forums – Who's Eating Whom – March 20th.

Ruth Vreeland requested that Chris Harrold bring updated Monterey Bay Aquarium Seafood Watch cards to the next meeting.

Dave Clayton announced that Ed Cooper's cancer is out of remission. Cards, notes and donations are welcome.

Dick Nutter announced the agricultural exhibit groundbreaking ceremony.

Pat Clark-Gray updated the SAC on the Sanctuary Education Panel annual meeting schedule.

LT Tom Stuhley announced that US Coast Guard had acquired an additional 47ft vessel all-weather lifeboat.

Mike Murray commented that Department of Fish and Game has announced an alternative set of marine reserves for CINMS. Timeline for the decision is the August meeting. The draft Environmental Impact Report should be out soon.

Melissa Miller-Henson announced that The State Resources Agency is co-sponsoring a second World's Ocean Conference in Santa Barbara, California in October 2002.

Jenna Kinghorn announced a past news article in the Half Moon Bay Review highlighting the nuclear waste dumping ground in the Gulf of the Farallones National Marine Sanctuary.

Ron Massengill announced the National Scenic Byway proposal is exciting the southern community. Bill added that the Sanctuary is been participating throughout the Caltrans Hwy. One management plan review process.

Stephanie Harlan gave a report on SAC Chair & Coordinator meeting that occurred in February. Please see

http://www.mbnms.nos.noaa.gov/Intro/advisory/sac_agendas/2002SACagendas/022502sacagenda.html for more information.

Stephanie also requested that SAC members send updates via email about announcements to be posted on the agenda web page.

III. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Alec Arago gave an update from Congressman Sam Farr's office.

Bill Schram, an instructor at CSUMB teaching ocean science, commented that from his perspective, the Sanctuary's creation did not add to the protection of resources. He posed the rhetorical question "Has there been any change since the sanctuary's designation?" He does not believe so, and requests that the Council take action in the future based on the protection of resources.

Kathy Fosmark asked if the Research Activity Panel meetings were open to the public. She had been denied entrance to the Naval Post Graduate School, the site of the last RAP meeting. Chris Harrold responded with an apology, and that limited access was security-driven by the school, and assurance that future RAP meetings would be held at facilities open to the public.

Heidi Tiura gave an update on whale sightings in Monterey Bay. In addition, she requested the SAC adopt an anti-whaling resolution. She requested that we add that item to the next meeting agenda.

David Clayton read his letter dated February 25, 2002 concerning the selection for the SAC nomination committee. Please see the attached letter. Bill Douros responded that the letter contains misinformation, which Bill clarified on numerous previous occasions.

IV. PRESENTATION: LEON PANETA & THE PEW OCEANS COMMISSION

Pew Oceans Commission Chair, Hon. Leon Panetta addressed the Monterey Bay National Marine Sanctuary Advisory Council. Council Members invited him to the meeting to share his experiences with the Pew Oceans Commission. During his almost 90 minute presentation at the National Steinbeck Center in Salinas, Mr. Panetta touched on a number of topics including his involvement with the Sanctuary's original designation process as former Congressman to the Monterey Bay area, over a decade ago. Mr. Panetta's main theme was "collaboration", and he sited a number of key experiences in dealing with the process of consensus-building relative to resource management issues. He also summarized the resource protection concerns that the Pew Commission has selected to study and make formal recommendations on in a report to Congress and the nation in Fall 2002.

For more information on the Pew Oceans Commission (POC) visit their website at <http://www.pewoceans.org>

Following is a brief summary of Congressman Panetta's presentation.

Mr. Panetta was born and raised in Monterey County, a place where diverse people gather. He recalls Monterey as a fishing village, and that most people felt fishing was the legacy of this city. Protecting the legacy of our ocean was a special accomplishment, and commended the Advisory Council on their work to that end. He noted that full participation in the designation process by the SAC was key, as the council predates the Sanctuary and represented a good cross section of the community. He recognized Dick Nutter as an original member, and that the precursor of the Advisory Council helped a great deal with the original designation process. Mr. Panetta had introduced designation legislation during that time. Current work with Pew Commission now confronts the same issues with our oceans. There are now two national commissions working toward the goal of protecting our legacy - the U.S. Commission on Ocean Policy and the Pew Oceans Commission.

The purposes of the commissions are to provide recommendations to Congress. The original Stratton commission report in 1969 came up with 200 mile limit, NOAA came into existence, and a whole series of governance was put in to place.

Mr. Panetta summarized a number of the Pew Oceans Commission's main concerns. Pollution issues comprise a number of concerns, including the excess of nitrogen oxides, from runoff and drainage. He cited the dead zone in Mississippi River was an example of this impact. Toxic chemicals and plastic debris, and invasive species from ballast water are other issues. Cruise ships and aquaculture are additional challenges. Aquaculture is expanding hugely worldwide. Issues with disease and habitat degradation exist. Pollution demands our attention.

Another major concern is coastal development, as it will be increasing from 50% to 70% in the future. Loss of fisheries such as cod, and sardines are of concern. Salmon and ground fish are diminishing stocks. We are watching the last buffalo. Habitat damage, by catch and foreign fleets are some of the fishery issues. Technology has been improved and developed.

The governance issue is the last one to mention. Little coordination exists between these entities, and so the Pew Commission is concerned about how to improve that communication. Add climate change and global warming to these issues and we need to look seriously on how it will impact on our lives, our nutrition, our health, and those that earn their living in the oceans.

Regarding Pew Oceans Commission members, they include elected officials, scientists, fishermen, and also conservation leaders. Hearings have been conducted nationally, in workshop format. We need to listen to everyone in order to determine what needs to be done. Pew is also working with the US Ocean Commission in order to coordinate the recommendations to Congress. We govern our fisheries and our land differently. We need to have a regional governance approach. Best examples are in Chesapeake Bay and in Gulf of Alaska, which have local agencies, fishermen and scientists working together to develop recommendations. Lobster fishermen working together on the East Coast are another good example. There has to be that kind of coordinated effort and planning, and you need to have the best research and science. Funding is important, and you also need enforcement. The combination of all these elements is important. In conclusion, we govern by either crisis or leadership. Enron is an example of crisis. Closing beaches and recreation areas is governing by crisis. We need to be governed by leadership that builds consensus. It is not easy; yet, we can only rebuild our oceans and have sustainability by consensus. With that support we can protect our legacy.

After his presentation, Mr. Panetta took questions from the SAC and the public.

MBNMS SAC Meeting Notes
February 25, 2002

Dick Nutter noted that agricultural practices were a concern. We agreed to agree on certain things, and in turn we worked with our community to formulate a six-county coalition to address some of these issues. Now we are looking at fisheries, another major industry. Do you have recommendations on how to develop that consensus?

Mr. Panetta responded that fishermen need to be part of the process. MPAs are at the top of the list of useful management tools that can help build stocks. Fishermen need to be at the table and we will understand how to take the steps together. This can be done. Welcome to democracy. That is the nature of our system.

Peter Grenell asked about governance and linking the resource and ecological protection with putting people in the equation. How could the folks get the message to support that kind of movement?

Mr. Panetta responded that Pew Commission is thinking of how to organize at the Washington level. He outlined certain models for how NOAA could be moved, separated, etc. Bottom line is we can reorganize the boxes, but if people are not committed to ocean policy, nothing will happen. If the leadership is there, we can get funding to do what needs to be done.

Tom Canale asked what was the intention of the relationship to be between the Sanctuary and fishermen?

Mr. Panetta responded that it was important for the fishermen to continue working with the regulating agencies, but those agencies still needed to work with the other agencies to develop policies to protect ocean resources. That is the role of the MBNMS, to work with regulating agencies to develop more effective policies.

Dave Danbom commented that he feels that the fisheries get painted with a broad brush. We are fortunate in this area as our stocks aside from rockfish, are healthy. You mentioned technology, and the biomass of sardines - they are coming back. The sardine fleet can now measure the size of a school, make one wrap and then pump the fish into the boats. Technology allows us to advance. Salmon - we have a lot of sub species that are still a problem, and they are starting to curtail our programs at the hatcheries. We truly are blessed in this area.

Mr. Panetta – but we shouldn't take any of that for granted. One discharge could wipe out a fishery for a period of time. I urge you to look at all the factors I talked about.

Deborah Streeter asked about the use of the term “Sanctuary”. Why was it used? I think there is some confusion. What is the history of the use of the term?

Mr. Panetta responded - we would have used any term possible! “Sanctuary” was the most viable kind of approach that existed at the time. We made a case for the uniqueness of the Monterey Bay Canyon. Our commitment should be the same whether you call it a park or a sanctuary.

Kaitilin Gaffney commented that regionally, the MBNMS has a broad mandate that overlaps with other agencies. It's challenging to do that in terms of turf. How can we work together better?

Mr. Panetta responded with the Pajaro River issue and the 3-toed salamander. It took twenty-five agencies at the table. If all agencies do not participate, you must go to a higher authority, and come down on their heads if they don't come to the table and cooperate.

Kathy Fosmark commented that out of science and research come findings. Solutions are what we want to have. Can you think of a way to eliminate the problem? What about an MOU between NOAA and NMFS?

Mr. Panetta responded that we need a lot more science, and in the ocean it takes a lot of effort to see what is going on. The problem is to figure out - what is the science showing? The research doesn't have the depth needed. We should be able to see who is credible and not? The SAC is a place for that. Open it up and listen to other viewpoints. Regional governance should be mandated somehow.

Dave Clayton asked about the role of the SAC. How did you feel SAC members be appointed? What is proper procedure?

Mr. Panetta responded - my view is that the SAC would take up issues of substance, and be engaged and make recommendations to the Sanctuary director. The purpose is to make sure all stakeholders are at the table. NOAA will ultimately take responsibility, after the SAC has made its recommendations. The appointment process occurred by soliciting applications, and then a selection committee made the recommendations. Design the process anyway you want, but the people here need to speak for their interests. Representatives need to carry the credibility.

Steve Scheiblauber asked about the joint management plan review and Sanctuary relationships with other agencies - one sentence - if problems arise, the Sanctuary can consult with other agencies and industry. Is that the right interpretation? Should the Sanctuary deal only with issues that are not being dealt with? Is that the best approach?

Mr. Panetta responded - We have to sit at the table together. For example, MPAs are a good fishery management tool, we need to work together on it. We can do it through leadership, or fight it out. There's ample opportunity should you choose to fight. He implored all parties to work together and not fight. The purpose of the SAC and the Sanctuary is to find out the answers to these types of problems. If not, the Sanctuary will pay the price.

V. PRESENTATION: AGRICULTURAL & RURAL LANDS ACTION PLAN

Holly Price made introductions to the key presenters which included MBNMS staff person, Katie Siegler, Kelly Huff of the Coalition of Central Coast County Farm Bureaus, and Daniel Mountjoy of the Natural Resources Conservation Service. Holly also described the role of SAC Member Dick Nutter in helping lead the successful volunteer effort by the industry to adopt best practices. Here are the main points of the joint power point presentation.

Agriculture and Rural Lands Action Program:

Goal: Reduce agricultural runoff in the form of nutrients, erosion and pesticides

Strategic Plan: 24 strategies, 6 strategy types

- Agricultural industry plays key role
- Expanding on and leveraging existing efforts
- New programs based on identified gaps

Concerns of the Ag Community During Planning

- Landowner concerns that working with agencies would lead to fines and regulatory action
- Economic viability of agriculture would be further impacted
- Mutual mistrust between agriculture industry and environmental organizations

Ag Plan Components

- Strengthen agriculture industry networks
- Improve technical info and outreach

- Increase education and public relations
- Regulatory coordination and streamlining
- Funding mechanisms and incentives
- Public lands and rural roads maintenance

Strategy 1

- Strengthening Agriculture Industry Networks
- Information spreads from farmer to farmer
- Goal: Working together on water quality improvements per watershed
- Coalition of Central Coast Farm Bureaus formed in 1998
- Coalition of County Farm Bureaus
- Water Quality Action Plans for each of the counties identify priority watersheds
- Farm Bureau Watershed Coordinators organize watershed working groups
- Working groups address local water quality issues

Farm Water Quality Short Courses

- UC Cooperative Extension courses offered in all six counties
- Technical training, overview of water quality issues, introduction to agencies and staff contacts
- Land managers develop farm water quality protection plans for their properties

Monitoring Water Quality and Tracking Success

- Watershed scale water quality monitoring
- Annual watershed reports
- Farm or field scale monitoring
- Conservation practice tracking

Strategy 2

- Improving Technical Information and Outreach
- Coordinated field presence, interagency cooperation
- Increased NRCS technical field staff to support water quality projects
- Compilation of technical outreach materials and costs of conservation measures
- Development and promotion of self-monitoring tools

Strategy 3

- Education and Public Relations
- Increase grower and public awareness of watershed management
- Watershed assessments
- Increase public knowledge of and support for agricultural conservation measures

Strategy 4

- Regulatory Permit Coordination for Conservation Measures
- Multi-agency permits can be costly and time consuming
- Goal: Remove regulatory disincentives for water quality improvement work
- Watershed permits protect resources while removing barriers to installing conservation measures on properties
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Elkhorn Slough Permit Coordination Results

- 1998-2000 Elkhorn Slough Conservation Benefits:
- 33,600 tons of soil captured on 26 farms
- 9,000 tons annually retained on farm
- 1.5 miles of stream enhancement
- More riparian projects
- More farmers using NRCS practice standard

- Reaching new farmers

Strategy 5

- Funding Mechanisms and Incentives
- Goal: Improve knowledge of and access to funding sources
- EQIP and other cost share programs
- GPA status - Watershed based funding
- RCD cost share grants
- Fields to Ocean program

Strategy 6

- Public Lands and Rural Roads
- Road maintenance training
- Increase conservation measures on agency / public trust lands
- Leveraging Resources
- Congressional USDA allocation to NRCS
- Multiple grants to Farm Bureau Coalition, Sanctuary, RCDs, UCCE, etc.
- Ag industry participation
- Enhanced collaboration with many organizations
- Increased awareness of water quality issues
- New staff hires set the stage for future implementation efforts

Lessons Learned

- Ag Plan brought together diverse, often adverse, stakeholders
- Collaborative planning process led to long-term stakeholder support and leveraged efforts of partner organizations
- Agency collaboration improved by strategic plan structure
- Industry-led program created momentum for farmer led initiatives

Dick Nutter ended the presentation by calling on SAC Members to consider applying this model to future challenges and initiatives, such as collaborations with the fishing industry.

VI. ADDITIONAL PRESENTATION BY REQUEST: COALITION OF ORGANIZATIONS FOR OCEAN LIFE (COOL)

Mr. Mark Shargel, Director of Coalition of Organizations for Ocean Life (COOL) gave a thirty minute presentation on the group and its goals. He also requested that the Sanctuary remain actively involved in state's Marine Life Protection Act process.

He began by explaining the mission of the Coalition of Organizations for Ocean Life, which is to foster the creation of a network of marine reserves that will help restore, enhance and protect the diversity and abundance of California's marine life and underwater habitats, and to educate the public on the value of marine reserves and healthy oceans. Mark then presented a slide show which focused on the bounty and diversity of our local marine resources.

Following the slide show was a number of SAC member comments and questions. They included: Success is dependent on consensus. Is the group COOL going to be working in that way? Collaboration with other groups is key, and that should be stated in the presentation. In the spirit of Panetta's remarks, we need to move toward to some kind of consensus. What was heard was disturbing and not open. We need to be more sensitive to that concern.

Vicki Nichols responded that she and Kaitilin thought it was important to have Mark come and talk. She and the environmental community feel that a broad stakeholder approach is needed. COOL

and the Alliance should have an opportunity to talk together, and inform people that movements are occurring and we want to work collaboratively.

VII. UPDATE: FISHERIES ALLIANCE & MBNMS PROCESS

Holly gave a brief summary on progress for the last Alliance meeting.

VIII. ELECTION OF SAC SECRETARY.

MOTION: (Passed)

The SAC made a motion to re-elect Dan Haifley as SAC Secretary.

Motion introduced by Dick Nutter seconded by Deborah Streeter
(Vote: 16 in favor, 0 opposed (unanimous))

12:30 – 1:15PM LUNCH BREAK & VIEW VIDEO ON OCEANS FOR THE FUTURE

IX. SUMMARY: JOINT MANAGEMENT PLAN REVIEW (JMPR) PUBLIC COMMENT & SCHEDULE UPDATE

Bill expressed that staff are impressed with the breadth and diversity of the comments received. The Sanctuary has received more comments than for its original designation. He explained that Sean will layout the summaries in a synthesis of the comments. We want to give you a “Summary of Scoping Comments” document that is a basis by which we start getting advice from the SAC. Mr. Panetta was asked to speak to you, Holly came to present and is still just recovering from back surgery, and Dan Basta is here from our national head quarters for the meeting. We are trying hard to make sure you get the idea that the SAC plays a serious role, and are bringing you some substance.

Dan Basta offered some introductory comments. SACs are an important part of how the National Marine Sanctuary Program does business. Earlier this month, we hosted the 2nd annual SAC Chair and Coordinator meeting in Florida. Looking at the entire membership of SACs in the NMSP, we have a group of almost 300 talented people that are directed toward ocean issues. The new SAC directory will go the U.S. Commission on Ocean Policy, as direct participation is the process that I’m talking about. Process must be science or information based. Biogeographic assessment project should be available when this process enters its working group phase. Ecological linkages report assesses the state of knowledge across ecosystems.

Dan then described the priority-setting workshop process that had been developed. From the priority-setting, the three Sanctuary’s and the management team will develop a draft work plan that will begin the work for the draft action plan.

Stephanie asked the Council if we need to, or want to have a three member SAC meeting, or prefer a separate meeting?

There was a good deal of discussion on this question that included voting methods, facilitation methods, public participation, and how does the national constituency weigh in? There were also a number of other questions including what are the end goals of the management plan document? Will it be issue-specific or programmatic?

The final outcome of the discussion was that the SAC agreed to move ahead with the joint SAC workshop process on April 15th.

X. DISCUSSION: DRAFT CRITERIA FOR PRIORITIZING JMPR ISSUES

The discussion was tabled in order to move ahead with the next agenda item.

XI. PRESENTATION: STAFF ANALYSIS OF SCOPING COMMENTS

Sean Morton presented the JMPR document "Summary of Scoping Comments", as a comprehensive report that will assist NMSP staff and SAC members from Cordell Bank, Gulf of the Farallones and Monterey Bay National Marine Sanctuary, and the public, in understanding and interpreting the comments received during the scoping phase of the JMPR. Approximately 4,000 comments were obtained from participants in the 20 public scoping meetings. Additionally, the National Marine Sanctuary Program (NMSP) received 8,500 written comments via letters, emails and petitions. The document is posted on the website at <http://www.sanctuaries.nos.noaa.gov/jointplan/summaryscopingcomments.html>

Jennifer LaBarre from the NMSP gave a summary of the document and the upcoming priority-setting workshop process. The report contains a summary of scoping process, cross-cutting issues analysis table, site-specific issues analysis table, and the appendices. Jennifer requested that SAC members choose the issues from the cross-cutting table and the sanctuary-specific table that are of highest priority to their constituency. Also, that SAC members choose four priority issues for each template and return them to Sean by March 22, 2002. Jennifer explained that staff will collect the templates, compile, copy and distribute them. The template information will be synthesized so it can be used in the Joint Prioritization Workshop. Lastly, she explained how the Workshop will be organized. After review by staff of synthesized SAC templates, the group will conduct a prioritization exercise for cross-cutting issues. Next, they will break into site specific groups and conduct prioritization exercise for site-specific issues

XII. ACTIONS: SET APRIL SAC MEETING AGENDA

After some deliberation, a date of April 15th was decided upon for the joint SAC workshop. Some members felt that an additional meeting beforehand would be good for the Monterey SAC to share their priorities. Others felt that one meeting was sufficient. It was decided to go with one meeting on April 15th.

Stephanie announced that the SAC charter will need to be reauthorized in June, and we could add that agenda item to the June meeting.

XIII. ADDITIONAL PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Sean Smith representing Blue Water Network presented information on motorized personal water crafts (PWC) impacts to the environment and wildlife in terms of water quality, natural soundscapes/visitor enjoyment, and public safety.

The meeting adjourned at 4:15 p.m.

Submitted by
Karen Grimmer
Monterey Bay National Marine Sanctuary Advisory Council Coordinator