

**MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL
Final Meeting Minutes
December 13, 2012
Canterbury Woods
Pacific Grove, CA**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Thursday, December 13, 2012, in Pacific Grove, California. Public categories and government agencies were present as indicated:

Agriculture: Kirk Schmidt	CA State Parks: Mat Fuzie
AMBAG: Lynn Robinson	Conservation: Geoff Shester
At Large: Cynthia Mathews	Diving: Phil Sammet
At Large: Kortney Opshaug	Education: Simona Bartl
Business & Industry: Cindy Walter	Commercial Fishing: Kathy Fosmark
CA Coastal Commission: Tami Grove-Absent	Ports & Harbors: Steve Scheiblaue
CA Dept. of Fish & Game: Paul Reilly	Recreation: Gary Pezzi
CA EPA : Russ Jeffries	Recreational Fishing: Rich Hughett
CA Resources Agency: Amy Vierra - Absent	Research: Chris Harrold
	Tourism: Bob Massaro

The following non-voting members were present as indicated:

Monterey Bay NMS – Paul Michel
Gulf of the Farallones NMS – Maria Brown-Absent
Channel Islands NMS – Chris Mobley-Absent
National Marine Fisheries Service – Steve Lindley
US Coast Guard – LCDR Brad Soule – Absent
Elkhorn Slough NERR – Dave Feliz

Alternates present in audience:

Diving: Brian Nelson
At Large: Kurt Schnebele

I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES

APPROVAL OF October 18/2012 DRAFT MEETING NOTES

The advisory council approved the October 18, 2012 meeting minutes with the following substantive changes:

Page 2 paragraph 4 change* Oceana Center for Biological Biological Biodiversity to the state of California

Add* as AB 1776

Add * Center for Biological Diversity, and Shark Stewards

Add* endangered species.

Add* federal endangered species listing will be ending November 27.

Spelling correction *Deb Wilson-Vandenberg

Add* Nov.7 by the California Fish and Game Commission.

Add * at: http://oceana.org/sites/default/files/reports/Monterey_Bay_Report.pdf

Add * convene a subcommittee that would

Add* and Chair Schmidt did not allow Geoff to propose an amendment to the main motion.

Geoff raised concerns with the violation of Roberts' Rules of Order.

Delete* Geoff's motion was therefore not seconded and the previous motion was on the table so no amendment could be made.

Page 2 paragraph 3 add* after these for distribution by. After Game, and others.

Page 2 paragraph 4 add*the City of Monterey.

Page 2 paragraph 5 change* Oceana Center to State of California

Add* after A California Fish and Game Commission

Page 3 paragraph 7 correct* the word underwater

MOTION: (Passed)

A motion was introduced by Steve Scheiblauber to approve the minutes with an amendment for clarification at the next SAC meeting.

Gary Pezzi seconded the motion.

(Vote: 18 in favor, 0 opposed, 0 abstentions)

II. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

(per comment card)

Scott Jarrett – PWC

I voice my dismay that Paul Michel would claim that the new PWC rule has done nothing to create a danger in my sport: the rule took away my life saving tool.

III. STANDING ITEM ADVISORY COUNCIL MEMBER ANNOUCEMENTS

Dave Feliz, Elkhorn Slough NERR- This is Dave's first SAC meeting and he has no comments as he is here to learn.

Gary Pezzi, Recreation – commented that drug use on the beaches in Santa Cruz has become a problem. There is a new movement called *Take back Santa Cruz*. Illegal transients are camping in the caves by the beach and using drugs. Gary has seen footage of the beach collection of syringes that were found on the beach at the last Surfrider meeting. He will be attending a Public Safety meeting on December 17 with the Santa Cruz City Council and Chambers. This is an issue for the Sanctuary as the garbage washes into the ocean. There is a benefit for Surfrider to raise money at Moes Alley this weekend.

Chris Harrold, Research – announced that everyone should mark their calendar for April 27 for the Sanctuary Research Symposium. James Lindholm, CSUMB is taking on the lead role of organizing this event on campus. There will be five great talks and a marine scientist will be honored with the EF Ricketts Award. The theme is Marine Ecosystem Change. This event is well received every year and the turnout is usually 250-275 people, with lots of students, graduates and people interested in the marine world. It will be at CSUMB at the same theatre that it normally is held at. .

Simona Bartl, Education – requested an update on ocean acidification as a future agenda item.

Cindy Walter, Business and Industry – had no comment or updates.

Geoff Shester, Conservation - announced that the California Coastal Commission denied the permit application from PG& E for seismic testing. Geoff commended Paul Michel on the letter he sent that accurately portrayed SAC concerns. It is a major victory we should all celebrate. Fish & Game Commission adopted a policy on forage species on November 7. The CWG had a presentation from Scott Benson on Leatherback Sea Turtles, primarily about the Indonesian nesting beaches. Geoff would like to hear Scott's presentation on the Leatherback Sea turtle at some future SAC meeting.

Paul Michel, MBNMS Superintendent – referenced Gary Pezzi’s comment on the problems of the syringes on the beach. An incident happened at the Sanctuary Exploration Center where a concerned citizen brought in some syringes and dumped them on the floor to make a point that NOAA and the Sanctuary should be doing more about this situation. There are many facets to the beach litter, homeless and drug issues and it takes the combined efforts of the City and many like Save Our Shores and the Sanctuary to help.

Matt Fuzie, California State Parks – announced that Major General Anthony Jackson is the new State Parks Director. He will be in the area on January 4-5. If you would like to meet him, contact Matt and he will try to make that happen. AB 147A was recently passed authorizing 10 million dollars to keep the parks open. There is a moratorium on park closures for 2 years. California State Parks Monterey District is considering removing trash cans from beaches so people will pack in and out trash. State Parks would post signs to let people know. Many people feel that would result in trash everywhere. Matt believes however, that we could reduce garbage that goes into the ocean. The older generation seems to give more of a push back, while the younger generation tends to agree with the parks in/out approach. They are going to try this plan at Monastery Beach in Carmel to see if it will work. Matt has witnessed people bringing their household trash to the cans and dumping it in the cans and the resulting overload creates a real mess and an environmental threat.

Rich Hughett, Recreational Fishing – voiced concern with the number of FY13 West Coast Priorities. There are 19 different topics that we need to consider. He would like to know if these will be explained and if we are going to vote on them

Phil Sammett, Diving - Commented that the diving community is still continuing to reach out to constituents. Pacific Grove has a hyperbaric chamber that is voluntarily run but is currently unfortunately not available to divers. There is a movie coming to town that will feature diving and surfing in the sanctuary that was written by Michael Allen. It is a 2 year project. The name of it is the *Tao of Surfing*. It is paid for by local people and volunteers. It is directed and produced by Lou Diamond Philips. He is excited because it combines two communities.

Paul Reilly, California Department of Fish and Game - reported that Regional Manager, Marija Vojkovich has retired. Paul Hamdorf, the Acting Regional Manager, will be replacing her in a temporary position until they find someone to permanently fill the position. Humboldt Squid have been washing ashore in Pacific Grove and Santa Cruz County. They do not know the reasons why this is happening.

Steve Scheiblaue, Harbors – commented that they are in the second phase of dredging. They are raising the sand on the beach in front of the condominiums by Fishermen’s Wharf. They are in the middle of planning a community Fisheries Sustainability Plan. An invitation is out there for anyone to take a survey to contribute how they view commercial and recreational fishing in Monterey. Jane Lubechenco sent a letter announcing she will be departing in February from her position as Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator. Steve has contacted the San Mateo County Sheriff’s Department about the status of a volunteer PWC team, organized under the Sheriff. He had a conversation with Michael Wyss and found out this is not going anywhere. Steve would like to request at the next SAC meeting to have an agenda item to form a working group to study alternatives for safety.

Lynn Robinson, AMBAG – commented that last week she attended a reception at the Sanctuary Exploration Center for the SAC Summit meeting. She thought the reception for the community was phenomenal. She feels the SEC is a hub. Lynn has also been involved with the homeless issue on the beaches. She has been involved in sending out letters to bring awareness to the public for more support. There is a You Tube video that is also out to help educate the public. She has also sent a letter to the Sanctuary addressed to Scott Kathey. They have sent a letter to Barbara Boxer, and have not received a response. She feels more people need to be involved. Lynn feels that the program to get rid of cigarette butts has been working. Lynn requested that coming up with solutions for cleaning projects could be a possible agenda item. Lynn is also on the Public Safety Committee and asked if there is anything that could be provided by Paul Michel, such as a statement

Kathy Fosmark, Commercial Fishing – announced that the Dungeness crab season is open in Mendocino. She felt it is a going to be a good crab season. There is a fishery ecosystem plan that is going to be adopted by the Pacific Fishery Management Council in Tacoma, WA that has an actual fishery plan for the system assessment. There is usually a June meetings in San Francisco or San Mateo. If you would like to attend, let her know as she feels it is really helpful and you would be able to see how the process works.

Bob Massaro, Tourism – announced that January 26 and 27 is the Monterey Whalefest. Bob encourages everyone to attend and there will be 30 nonprofit organizations. It has grown from last year. There will be a presentation by Blue Ocean Film festival at the Museum Of Monterey. The Children's program will be presented at Monterey Fisherman's Wharf. The Coast Guard has three things going on. There will also be a beach cleanup.

Steve Lindley, National Marine Fisheries Service – has been fielding calls in regards to the squid washing up on the shore. They are studying the impacts of why it is happening. They do not know why. They are working with an organization called Squids for Kids that will send specimens to teachers around the state for kids to dissect. They are very excited about that opportunity to help out.

James Lindholm, Research – would like to thank Chris Harrold for all of his support. James felt that the SAC should take advantage of the support of the RAP.

IV. Information Item: Review SAC Protocol for Agenda Items

Dawn Hayes reviewed current SAC Charter protocols related to meetings, motions and amendments. The plan is to use this set of procedures through 2013; the SAC Charter is up for review in 2014. Everyone will have 2 opportunities to speak for member comments as we will go around twice. RE: Motions - in the past it was preidentified on the agenda items if they were action or not. Motions can be made on any item. However, motions will be projected and recorded. The Chair will entertain motions during and after an item. A motion cannot be made on working items, working group, calendar items. Dawn stated that an amendment can be made if proposed and seconded. If the amendment proposes different language, items will be represented as a strike through.

Overview of Key SAC Procedures:

http://montereybay.noaa.gov/sac/2012/121213/121213sac_ops.pdf

Motion: (Passed)

Chris Harrold, Research made a motion that the memo on council meeting procedures for a period of one year and subcommittee will supplement the protocols. Gary Pezzi, Recreation seconded it.

Vote: (16 in favor, 2 opposed, 0 abstentions)

V. DISCUSSION POSSIBLE ACTION ITEM: WEST COAST PRIORITIES

Paul Michel reviewed the list of the West Coast Priorities generated in late spring. The SAC felt that we can incorporate some of the priorities into the next management plan revision. Steve Scheiblauber felt that we need to address the PWC issue, as it creates unfavorable public relations for the Sanctuary.

Attachment: Updated West Coast Priorities
http://montereybay.noaa.gov/sac/2012/121213/121213wcr_fy13priorities.pdf

Motion: (Passed)

Steve Scheiblauber proposed a motion for the SAC to create an ad hoc subcommittee to study the Motorized Personal Watercraft rule as it applies to surfer safety. The two tasks of the subcommittee will be to identify things that can be done within the existing PWC regulation to improve big wave surfer safety and to also identify if there are amendments to the regulation that would improve safety.

Seconded by Kathy Fosmark

Vote: (16 in favor, 2 Opposed, 0 abstentions)

The verbage to the motion was slightly changed. A subcommittee was formed consisting of Steve Scheiblauber, Gary Pezzi, Matt Fuzie, Phil Sammet and Kathy Fosmark.

V. LUNCH

VI. INFORMATION ITEM: DIVER SURVEY

Presentation by Brian Nelson
http://montereybay.noaa.gov/sac/2012/121213/121213connecting_ppt.pdf

VII. INFORMATION ITEM: Identifying Sanctuary Ecological Significant Areas

Presentation by Karen Grimmer
http://montereybay.noaa.gov/sac/2012/121213/121213sesa_ppt.pdf

Public comment (per comment card)

Richard Parrish-
Ecologically Significant Areas-Consider including productive fishing grounds as significant areas

VIII. DISCUSSION AND POSSIBLE ACTION ITEM: FORAGE FISH LETTER

Some of the SAC felt that they have learned in the past year all about forage fish. Others expressed that the forage fish issue is extraordinarily complex. All felt it was important for protecting the whales, and businesses are dependent on this issue of forage fish. Oceana is in a lawsuit regarding the management of forage fish. Geoff Shester claimed that the lawsuit is a separate issue from the forage letter and resolution. There are a lot of complex issues and several SAC members expressed the desire to find common ground.

Public comment (per comment card)

Lauren Dockendorf-Save our Shores

Forage Fish Resolution-Save Our Shores supports this resolution

Anna Weinstein-Audobon California

Forage Fish-Support of Forage letter and resolution as submitted by CWG

Debra Streeter- Upwellings, CWG

Forage Fish-Support the letter and resolution

Carol Maehr-CWG

Forage fish-for the resolution letter

Motion: (1st Motion)

Steve Scheiblaue introduced a motion to approve a new letter that combines the resolution and only states the exact language the forage policies adopted by the PFMC and FGC.

Seconded by Russ Jeffries

Motion for an amendment: (2nd Motion)

Geoff Shester made a motion for an amendment to replace the new letter proposed by Steve Scheiblaue with the original letter proposed by Superintendent Michel with the first sentence to read: “Based on this information, the SAC supports the policies on forage species recently adopted by the California Fish and Game commission and the Pacific Fishery Management Council.”

Cindy Walters seconded the motion.

Considerable discussion followed about the use of the word “precautionary” to describe the current management of forage species, Steve Scheiblaue asked that this be inserted into the letter.

Motion for an Amendment to the Amendment: (3rd Motion) (Failed)

Steve Scheiblaue made a motion for an amendment to the amendment to change the wording in the letter, adding the word “precautionary”. Geoff Shester asserted his belief that the current management is not precautionary, and that the sardine stock is collapsing. This motion failed.

Motion for Amendment to the Amendment: (4th Motion) Passed

Steve Scheiblaue offered additional clarifying language: “The MBNMS SAC appreciates the important role that forage species play in the California Current ecosystem and supports the continuing development and use of the best available science in their management by the appropriate fishery management agency.”

Rich Hughett, - seconded the motion

Vote: (17 in favor, 0 opposed, 1 abstentions)

http://montereybay.noaa.gov/sac/2012/121213/121213forage_support_letters.pdf

IX. DISCUSSION AND POSSIBLE ACTION ITEM: FORAGE FISH RESOLUTION

Motion: (Passed)

Gary Pezzi made a motion to accept the Forage Species Resolution

Cynthia Mathews seconded it.

Steve Scheiblauber expressed that the resolution is much improved, but that he still had concerns about the role for the MBNMS described in the resolution's last paragraph, that it leads the MBNMS into fishery management issues that is not adequately resourced to address.

Vote: (15 in favor, 2 opposed, 1 abstentions)

http://montereybay.noaa.gov/sac/2012/121213/121213forage_reslution-final.pdf

The SAC members felt the resolution was clear and encouraging. The proper protocols will be added to the document.

X. WORKING GROUP

SEP WORKING GROUP-SIMONA BARTL

The SEP has been interested in messaging ocean acidification.

SEP report - <http://montereybay.noaa.gov/sac/2012/121213/121213sep.pdf>

RAP-Chris Harrold- nothing to report they did not meet

CWG-Geoff Shester

CWG report - <http://montereybay.noaa.gov/sac/2012/121213/121213cwg.pdf>

XI. SUPERINTENDENTS REPORT

Paul Michel reported that there was a great reception at the SEC for the SAC Summit meeting. The speeches stressed the importance of tourism and recreation in sanctuaries. There is an increase in Pangas along the central coast. There have been a number of incidences where smugglers have abandoned the boats. Five or six have come ashore in our Sanctuary, and a United States Coast Guard Guardsman was killed at the Channel Islands a few weeks ago. It would be good to have a presentation from Fish & Game in regards to enforcement. *Your Sanctuary* TV is going great. There are over 70 stations across the US showing the program. There are over 100 views internationally on YouTube. We have gotten a ton of Sanctuary related material that we will be distributing via *Your Sanctuary* TV. The SEC education team is doing great developing guided tours for this spring. MBNMS hopes to have a new website out soon. The Sanctuary Watch magazine has come out celebrating 40th Anniversary of the program (issues passed out).

XII. SANCTUARY CHAIRS MEETING

Kirk reported on the SAC Summit Meeting that was held in Santa Cruz December 4-6. Kirk thought the meeting was very well focused. The key points of the meeting were the marketing value of a place and learning to communicate the value. NOAA would like to have great support by constituents across the country. He felt it is really important for people outside the immediate coast to learn that there is a lot to the ocean.

http://montereybay.noaa.gov/sac/2012/121213/121204sac_summit-agenda.pdf

XIII. STANDING ITEM: Advisory Council Calendar Review

The SAC calendar was reviewed and will be updated for a discussion at the next meeting in February.

XIV. ADJOURN

Submitted by Jackie Sommers, Sanctuary Advisory Council Coordinator.

Meeting was adjourned at 5:30PM