

**MONTEREY BAY NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL**

**FINAL
October 1, 2004
Big Sur Lodge
Big Sur Lodge, CA**

The Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council met on Friday, October 1, 2004, at the Big Sur Lodge, California. Public categories and government agencies were present as indicated:

Agriculture: Tim Frahm	CA State Parks: Dave Vincent
AMBAG: Stephanie Harlan	Conservation: Kaitilin Gaffney
At Large: Margaret Webb	Diving: Frank Degnan
At Large: Mike Laffen	Education: Pat Clark-Gray
At Large: Deborah Streeter	Fishing: Thomas Canale-ABSENT
Business & Industry: Nancy Black-ABSENT	Ports & Harbors: Brian Foss
CA Coastal Commission: Charles Lester-ABSENT	Recreation: Dan Haifley-ABSENT
CA Dept. of Fish and Game: Paul Reilly	Research: Chris Harrold
CA EPA: Russ Jeffries-ABSENT	Tourism: Michael Bekker
CA Resources Agency: Brian Baird-ABSENT	U.S. Coast Guard: LCDR Deborah Darminio

The following non-voting members were present as indicated:

Channel Islands NMS: Chris Mobley-ABSENT
Gulf of the Farallones NMS: Julie Barrow
Cordell Bank NMS: Dan Howard-ABSENT
Elkhorn Slough NERR: Becky Christensen-ABSENT
Monterey Bay NMS: Holly Price

Alternates present in audience:

Steve Shimek-Conservation
Steve Clark-Education
Robert Frischmuth-At-large
Harriet Mitteldorf-At-large
Dick Vreeland-AMBAG

I. CALL TO ORDER, ROLL CALL, SWEAR IN OF NEW MEMBER, APPROVAL OF MINUTES

WELCOME

Lois Harter, Big Sur Sector Superintendent, CA State Parks welcomed the Advisory Council to Pfeiffer Big Sur State Park and the Big Sur Lodge.

SWEAR IN OF NEW MEMBER

Holly Price, Acting Superintendent, MBNMS, swore in new Association of Monterey Bay Area Governments (AMBAG) alternate, Dick Vreeland.

APPROVAL OF 8/6/04 DRAFT MEETING NOTES**MOTION: (Passed)**

The SAC adopted the minutes from the August 6, 2004 Sanctuary Advisory Council meeting with the following changes:

- Section III, under “Partnership Matrix” add “any potential information regarding” before “sharing conflict of interest”
- Section III, create separate heading titled “2002-2003 Annual Report” and pull out sentences from the “Response letter from National Marine Fisheries Service”
- Section III, under “Update on Marine Life Protection Act” change “initiative back on track” to “process is back on track with what is being called the MLPA Initiative”
- Section III, add “Foundation” after “Resources Legacy Fund”
- Section III, change “Panel” to “Task Force”
- Section III, under “Charter Revision” remove the apostrophe from the word “Councils”
- Section VIII, second paragraph, change “Oceana” to “Oceano”
- Section VIII, third paragraph, change “asking” to “ask”

Motion introduced by Dave Vincent, seconded by Frank Degnan

(Vote: 11 in favor, 0 opposed, 2 abstentions (Stephanie Harlan, AMBAG and Kaitilin Gaffney, Conservation))

II. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Steve Shimek called the Advisory Council’s attention to a cooperative project between NOAA and Great Lake State Parks and non –governmental organizations that brings water quality issues to the attention of the public through outreach materials in public restrooms and at kiosks.

LCDR Darminio, US Coast Guard, announced that the Coast Guard will be having a ceremony on October 14th at 4 p.m. to open the new Coast Guard pier to the public. This will be the first time the pier has been open to the public since September 11, 2001. LCDR Darminio also noted that the Coast Guard was working with the MBNMS on signage at the site.

III. JOINT MANAGEMENT PLAN REVIEW UPDATES**- MBNMS STAFF FEEDBACK ON ADVISORY COUNCIL PRIORITIZATION**

Holly Price, Acting Superintendent, explained that Advisory Council Chair, Deborah Streeter, had asked for this update so the Advisory Council could learn how MBNMS staff would be using comments the Advisory Council gave at the August meeting regarding JMPR

priorities. Holly explained that many of the top 5-8 action plans are large and continuous projects while the bulk of the work on a few others can probably be taken care of in the first year. For example, Cruise Ships, Motorized Personal Watercraft, Submerged Cables and Desalination are all important plans, but are not plans that need to be sustained at a high priority level year after year. The Emerging Issue (currently being looked at by an intern) and the Big Sur Coastal Ecosystem plans are plans that we are looking to address down the road, not immediately. There are some plans where we are looking for outside funding sources to assist us, such as Davidson Seamount and Maritime Heritage. Holly explained that Maritime Heritage is a priority at the national level for all sanctuaries. She also expressed that staff would be giving more attention to Coastal Armoring than the Advisory Council gave it. Holly emphasized that implementation of these plans would be phased and that how successful we are in implementing these plans depends heavily on how we motivate and engage our partners in working with us.

Main Advisory Council member comments included:

- An intern looking at emerging issues may not be enough. There may be times where some issues may mushroom cloud. Holly commented that staff is always listening for emerging issues and as one appears in need of immediate attention it gets pursued. However staff will always need to decide where a new issue ranks compared to existing JMPR priorities. It was suggested that the Advisory Council would also help bring emerging issues to the attention of Sanctuary staff.
- An emerging issue in the southern region of the MBNMS is the Montebello wreck site. Some in the community were surprised to find that the Montebello was not within the sanctuary boundaries. Holly noted the past research cruise to assess the shipwreck, the absence of identified leaks, and the need for potential future assessment of the hull. Advisory Council members encouraged MBNMS staff to continue to do outreach on this issue in the local community, and relate the results of MBNMS surveys and research.
- It was noted that desalination had a lot of intense local interest, but that it was of a lower priority to the MBNMS than some of the other action plans. Holly commented that the MBNMS focus was on discharges and seabed disturbance related to desalination. The MBNMS would raise awareness of water quality, discharge, and disturbance impacts and getting answers to key questions related to those impacts. The MBNMS has been recommending a regional approach and will continue to do so. There are many other impacts related to land use that are outside the MBNMS jurisdiction, and MBNMS will participate with local governments as they take a lead in assessing those impacts.

- **UPDATE ON ENVIRONMENTAL IMPACT STATEMENT AND CONSULTATIONS**

Sean Morton, Management Plan Coordinator, provided the Advisory Council with an update on the JMPR. Staff has been working on getting an Environmental Impact Statement (EIS) up and running. The EIS will focus on assessing the regulatory changes that are associated with the action plans. He has been working with a National Environmental Policy Act

(NEPA) contractor to get things going. Staff is hoping to get information back from them in early November 2004.

Sean indicated that Section 303 of the NMSA directs the sanctuaries to consult with a variety of agencies when the program is considering modifications to the site's designation document. The MBNMS will be proposing three modifications: potential boundary modifications to include the Davidson Seamount, the authority to prohibit removal and take below 3000 feet in the Davidson Seamount area and the authority to address introduced species. These consultations will begin with a letter to each of the agencies and a copy will be sent to the Advisory Council. The MBNMS will be broad in its distribution of these letters, but mandated recipients include the House Resource Committee and Senate Commerce Committee, State, Defense, Transportation, and Interior departments.

Sean also indicated that under Section 304 of the National Marine Sanctuaries Act it is required that the MBNMS provide the Pacific Fishery Management Council (PFMC) the opportunity to prepare draft regulations that relate to fishing. If the PFMC declines, the regulations may be adopted by NOAA per Section 304. The MBNMS will consult with the PFMC about Davidson Seamount and proposed prohibitions below 3000 feet.

In June 2004, all three central coast sanctuaries also requested the PFMC to ban krill harvesting within the sanctuaries. The PFMC was very supportive of this and recommended expansion on the ban on krill harvesting throughout the Exclusive Economic Zone (EEZ). In November this will again be discussed by the PFMC and additional advisory bodies will help identify the best mechanism for prohibiting krill harvesting throughout the EEZ.

Sean indicated that once the Draft Management Plan and draft EIS are submitted to headquarters for clearance it will probably take at least three months. Sean guessed that the draft documents may be available for public review this summer.

IV. ADVISORY COUNCIL STANDING WORKING GROUP REVIEW

Deborah explained that she placed this item on the agenda because it would be a good opportunity to remind everyone of the four standing working groups. She wanted everyone to think about how these working groups can be helpful to the Advisory Council and how the Advisory Council can be helpful to the working groups. Deborah indicated that the working groups have evolved since they were first established. She commented that she has invited the chairs of each working group to meet with her in November to review how the working groups are functioning and how things might be enhanced. One of her goals is to increase public awareness of the sanctuary. She believes the working groups are a great way to do this. She would also like to increase communication between the working groups and the Advisory Council.

Chris Harrold, Chair of the Research Activities Panel (RAP), commented on some of his observations of how the RAP has developed over time. There are twenty-four members of the RAP representing research agencies around the bay and attendance has slowly been eroding. He commented that the environment has changed over the past ten years. The RAP started meeting

before the sanctuary was designated to help with developing a research plan for the Sanctuary. Since then, the research component of the Sanctuary has become well established. Chris proposed at their last meeting that they do an assessment taking them through seven steps to look at their membership and what their priorities are. They hope to have this assessment completed at their next meeting. He commented that the RAP needs to better understand the needs of the MBNMS. He doesn't believe the RAP has always followed through on what MBNMS staff has asked of them. Also, the RAP needs to better understand the needs of institutions of the RAP. Once this assessment is done, they will reexamine the goals of the RAP as they relate to the MBNMS and RAP institution needs. If they don't mesh they may need to draft a new mission statement. Chris will keep the Advisory Council informed on progress at subsequent meetings.

During discussion, it was also commented that there may be overlap between the RAP and the Sanctuary Integrated Monitoring Network (SIMoN) Science Committee. It is possible that there does not need to be both groups.

Kaitilin Gaffney, Chair of the Conservation Working Group (CWG), expressed her view that the working groups have a critical role to play. It is certainly critical to her seat on the Advisory Council because she is able to bring back to Advisory Council meetings the voice of a broader conservation constituency.

Pat Clark-Gray, Chair of the Sanctuary Education Panel (SEP), commented that at their next meeting, the SEP will be looking at their goals. The SEP played a more active role in the beginning of the sanctuary, but as education staff was hired on that has changed. They have weighed in on many things and work in coordination with MBNMS staff. Teachers have become less involved and Pat would like to see that change.

Mike Laffen, Citizen At-large primary, commented that these working groups could be helpful to Gulf of the Farallones NMS with their new role in the Northern Management Area. He asked that if any of the chairs had any information to give him, he would bring it to GFNMS staff.

Mike Bekker, Vice-chair of the Business and Tourism Panel (BTAP), commented that the BTAP is also assessing its operation and goals. Membership is based heavily on a listserv of people wanting to know what is going on, rather than attending a meeting. The BTAP is considering planning some workshops perhaps focused on the lodging industry, which will be educational and informative, with the goal of identifying some collaborative projects. Hopefully this might also bring in new members who have an interest and the time. Attendance at meetings is very issue-based; when there was the cruise ship issue, attendance was high but then it went back down again afterwards. In an effort to boost attendance, they have tried changing the meetings from Monterey to Santa Cruz, or having them in Moss Landing, but that did not work.

Mike noted that BTAP members would work with MBNMS staff to identify business-oriented venues where staff and BTAP members could give presentations.

It was decided that the working groups be added to future agenda for a while to enhance the exchange of information and help identify emerging issues.

V. SPECIAL MARINE PROTECTED AREA WORKING GROUP UPDATE

Holly gave an update on the Special Marine Protected Area (SMPA) working group. The group took a break for a few months and began meeting again this past spring. They have been following the recommendations of the SMPA Plan very closely.

PJ Webb, Citizen At-large primary, announced that the Marine Interest Group (MIG) in the southern region of the MBNMS, will be addressing SMPA's at their next meeting. PJ suggested that it might be helpful to share MBNMS work with them and help provide more of a foundation for what they are looking at. She asked if there was someone on staff that she could get in touch with. Holly let her know that Huff McGonigal, Environmental Policy Specialist, would be able to provide information.

It was also noted that Mike Osmond, with the World Wildlife Fund, sits on the MIG and could act as an informal liaison between the groups.

Kaitilin Gaffney, Conservation primary, suggested that MBNMS use similar decision-making tools as the CINMS did. She was impressed with their software programs.

Holly asked the Advisory Council how and when would they like updates like this regarding the Action Plan. It was decided that they would like routine updates, otherwise it would result in a huge amount of information at one time.

VI. ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG) REVIEW

Holly updated the Advisory Council on the recent discussions with AMBAG, including the meeting Deborah, Rachel and Holly had with Ralph Rubio and Nick Papadakis. She explained some of the ways that the MBNMS staff could address their concerns regarding the MBNMS and the Advisory Council. Some of the ideas were a workshop with AMBAG to focus on issues that might interest them, and a presentation this fall or winter on the management plan review and other key issues of interest to them. Rachel is contributing articles to their newsletters. Deborah has also attended some of their meetings and has asked them to attend Advisory Council meetings and has also sent them a letter inviting them to meetings. AMBAG's recommendations on the Advisory Council member selection process will be decided at their next meeting on October 13th. Holly explained that she wanted to present an alternative regarding allowing a public comment period on the applicants to the Advisory Council subcommittee before they deliberate and make their recommendations. Holly asked the Advisory Council if they had any advice on this issue. She explained that the national policy regarding Advisory Council recruitments would remain the same.

SAC members commented that if AMBAG does choose to suggest having select groups choose an Advisory Council member, than they better have strong reasons for why those groups were chosen and not others. Groups that were not asked to select the Advisory Council members might be upset that they weren't chosen to fill that role. Having a pre-designated group choose who should be on the Advisory Council is undemocratic. There should be an open application process.

Advisory Council members supported the idea of more outreach to beef up recruitment, including encouraging applicants to submit letters of recommendation.

VII. WORKING LUNCH

- FUTURE MBNMS VESSEL

Dave Lott, NMSP GIS Coordinator, gave a brief powerpoint presentation on the NMSP small vessel program and on the future central coast sanctuaries vessel, the *R/V Fulmar*.

Rachel announced that the *R/V Shearwater* would be in Monterey on October 21st. She will send out more details by email. There will be an open house to allow Advisory Council members and members of the media to view the Shearwater up close and to get an idea what the *R/V Fulmar* will look like.

VIII. NORTHERN MANAGEMENT AREA (NMA) UPDATE

- ADVISORY COUNCIL FEEDBACK ON DRAFT PLAN

Holly asked the Advisory Council if they had any comments or questions on the NMA Draft Transition Plan that was handed out at the August meeting.

It was commented that performance measures will be developed and brought back to the Advisory Council at a future meeting,

The Advisory Council also inquired about the permitting process and if it had changed over to the GFNMS. Holly explained that Irina Kogan is their staff lead on permits and she has been working closely with MBNMS staff on the permits that we have administered, with the exception of water quality which MBNMS retains. Advisory Council members also wanted to know if GFNMS has an enforcement officer and to what degree the MBNMS was going to continue to be responsible for things that occur in the NMA. Holly indicated that the GFNMS did not have an enforcement officer at this time, but that they do have a NOAA Special Agent who can follow up on things. GFNMS will develop an enforcement plan to see what their needs are and we will work with them on that.

- DECEMBER 3, 2004 JOINT MEETING

Holly read aloud the potential topics that the GFNMS Advisory Council had suggested be discussed at the upcoming December 3rd joint meeting. After some discussion, the Advisory Council decided that it would be good for MBNMS/GFNMS staff to provide presentations on JMPR action plans that were relevant to the NMA. It was important to bring the GFNMS Advisory Council up to date on how these action plans came about. Both Advisory Councils will have homework before the meeting to read the pertinent action plans and the NMA Transition Plan.

The meeting will be held in the Half Moon Bay area and there was some discussion about a possible field trip to allow Advisory Council members the opportunity to get to know one

another better. Tim Frahm suggested a tour of Año Nuevo or kiwi picking at the farm across the street.

- **MBNMS/GFNMS LIAISON REPORT**

Steve Shimek gave a brief report on the last Gulf of the Farallones Advisory Council meeting that he attended. He expressed some of their concerns regarding the NMA and the joint meeting in December. He explained that they would like a small group of Advisory Council members along with staff to identify the items for the December meeting agenda. They were also concerned about the disparity between the two Advisory Councils, with Monterey having 20 members and Gulf of the Farallones with only six members. They also expressed a desire to have their alternates sit at the table with the primary members.

The GFNMS Advisory Council also discussed the NMA Transition Plan and how it lays out how the two offices will conduct business. However, it doesn't outline how the two Advisory Councils will conduct business.

Deborah stated she has had a hard time finding out who the GFNMS liaison to our Advisory Council is. Julie Barrow, from GFNMS, stated she would find out and let the Council know.

IX. MBNMS UPDATES

- **LT MEETING**

Holly announced that she had recently returned from the Leadership Team meeting in New York. The meeting was held in New York to introduce the program to this huge metropolitan area. There was a reception which included keynote speakers Leon Panetta and Dr. Bob Ballard. Dr. Ballard had made a statement during his speech that nothing beats Monterey Bay and he talked about the telepresence project in Cannery Row.

- **CHANGES IN STAFF**

Holly alerted the Advisory Council to several recent changes in MBNMS staff.

The newest members of the MBNMS staff include:

- Cristy Cassel who started with the MBNMS in February as the Bilingual Education Specialist with the MERITO Program
- Stacia Fletcher who started with the MBNMS in July as the Education and Outreach Specialist in our Santa Cruz office
- Becky Stamski who joined the Research Team this week as a CA Sea Grant Fellow for the next nine months
- Donna Meyers, who joined the MBNMS as a Regional WQPP Coordinator

Unfortunately the MBNMS will be saying goodbye to Katie Siegler who is leaving us after three years as the Agriculture Water Quality Coordinator, and recruitment is underway for replacement.

- **EXPLORATION CENTER**

Dawn Hayes, MBNMS Education Coordinator, gave an update on the status of the MBNMS Exploration Center. At the Advisory Council meeting in February the architectural and exhibit design teams will be giving presentations on the design and construction of the MBNMS Visitor Center in Santa Cruz. She explained the MBNMS will have a capital lease with the City of Santa Cruz and that the NMSP will provide money to the City to construct the building. The cost of construction is currently estimated at \$5 million. Cost for exhibitry is currently established at \$2 million. These costs will need to be refined based on input from the design firms. The National Marine Sanctuary Foundation will play a key role in fundraising for exhibits. Staff is hoping to see the doors open in the Fall of 2007.

- **RECREATIONAL FISHING SEAT**

Holly gave a brief update on the status of the recreational fishing seat recruitment. She has passed on her recommendations to Headquarters and is awaiting their approval.

- **RESIGNATION OF RESEARCH ALTERNATE**

Holly announced that Dr. Jeffrey Paduan has officially resigned as the Research alternate. We will be recruiting for a replacement along with the regularly scheduled recruitment for several other seats instead of doing a separate recruitment process.

It was suggested for this upcoming recruitment that questions be added to the recruitment application, such as has the applicant ever attended an Advisory Council meeting before? It was also commented that the public needs to be made aware that letters of recommendation can be submitted for any of the applicants.

A recommendation subcommittee was identified including: Deborah Streeter, Paul Reilly, Kaitilin Gaffney, PJ Webb and Stephanie Harlan. Deborah will send an email out to those members not at the meeting inviting them to volunteer for the recommendation subcommittee.

- **ADVISORY COUNCIL CHAIRS/COORDINATORS MEETING**

Deborah announced that the annual Advisory Council Chairs/Coordinators meeting will be held in San Francisco, February 7-11. She explained that there were three policy topics chosen that the Chairs will be getting presentations on and addressing. The three topics were Cruise Ships, Aquaculture and Marine Protected Areas. She would like any guidance from the Advisory Council on these three topics to ensure that she is accurately representing the view of the MBNMS Advisory Council while in San Francisco.

After some discussion, the Advisory Council decided to submit to Headquarters their February 2003 resolution on Cruise Ship Discharges, the Cruise Ship action plan and Special Marine Protected Areas action plan within the JMPP, as background information for other Advisory Councils. Regarding aquaculture, the MBNMS Advisory Council had not received much information on the topic. For the February Advisory Council meeting, the National Marine

Sanctuary Program will provide more information for the Advisory Council to use to guide Deborah for the Advisory Council Chairs/Coordinators meeting.

Chris Harrold, Research primary, announced that there is a PEW Ocean Commission report on aquaculture that the Chairs may want to read before the meeting. Rachel also announced that the U.S. Ocean Commission has information on aquaculture.

- **ADVISORY COUNCIL MEETING SCHEDULE**

Deborah drew everyone's attention to the 2005 Advisory Council meeting schedule. She let them know that the CINMS Advisory Council is looking in to possibly having some evening meetings. She wanted to let them know that she is still considering that idea for the MBNMS Advisory Council. If the MBNMS Advisory Council decided to have an evening meeting, they should think about having it in Monterey or Santa Cruz. It was commented that the staff will be having evening public hearings for the draft Management Plan. The Advisory Council should discuss how they would like to give comments on the Draft MP.

Holly also mentioned that there is good public turnout at Advisory Council meetings in Monterey and Santa Cruz. She is not sure that we are meeting the same goal in Cambria and Big Sur. Is there something else we can do? This will be discussed at a future meeting.

X. ADVISORY COUNCIL MEMBER ANNOUNCEMENTS

Stephanie Harlan, AMBAG primary, had several announcements. She announced the upcoming MBARI open house. She announced that Dick Vreeland is running for reelection. Also, she attended the League of CA cities meeting two weeks ago. Leon Panetta spoke and was inspirational. She visited the Aquarium of the Pacific recently and she noted that they had an exhibit on the Channel Islands. She called Michael Murray, CINMS Management Plan Coordinator and Advisory Council Coordinator, to see if he could get the aquarium staff to talk about the CINMS. There was a 3D video there that was very effective. Also, she asked that everyone write the governor in support of the current bill regarding banning cruise ship dumping in state waters. Lastly, the Capitola Sanitation District has come up with a plan to check sewer lines near creeks.

Chris Harrold, Research primary, mentioned the Currents Symposium on March 12th at CSUMB. The Monterey Bay Aquarium will be celebrating their 20th anniversary on October 24. The female white shark has broken the world record of being held in captivity. Mike Sutton is now on board as the Director for the Center for Future of Oceans. If anyone has thoughts on what the Aquarium should do in ocean conservation and policy, get in touch with Mike. He also mentioned the brief video of the MBNMS that plays at the Aquarium. The video focuses on images and simple messages.

Paul Reilly, CA Fish and Game, announced that the Marine Life Protection Act Initiative is moving forward. There are eight members on the Blue Ribbon Task Force. You can find out more about the task force at www.mlpataskforce.org.

Kaitilin Gaffney, Conservation primary, also spoke about the state cruise ship bills and expressed her view that the work at the MBNMS on this issue was a great catalyst.

PJ Webb, At-large primary, announced that there was a great turn out for Andrew DeVogelaere's presentation on the Davidson Seamount in Cambria. He had an audience of 60 people.

Steve Shimek, Conservation alternate, announced that there are three pieces of national legislation that we should be watching: the Oceans 21 bill, a bill sponsored by Barbara Boxer, and one by Senator Hollings.

Tim Frahm, Agriculture alternate, announced that the San Mateo Farm Bureau would like to acknowledge the good work done by Katie Siegler. They have participated together in many workshops and facilitated many grants together.

**NEXT MEETING: DECEMBER 3, 2004, COSTANOA LODGE AND RESORT,
PESCADERO**

The meeting adjourned at 3:12 p.m.

Submitted by Nicole Capps