



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Silver Spring, Maryland 20910

JUL 27 2001

Mr. Dave Clayton
3793 El Campo Court
Concord, California 94519

Dear Mr. Clayton: *DME*

This letter is in response to your letter of July 2, 2001, in which you asked, "Do Sanctuary Superintendents (who are non-voting members of the SAC) have the authority to impose these arbitrary restrictions on specific working groups of the SAC?" This question was in reference to requirements that William J. Douros (Bill), Sanctuary Superintendent of the Monterey Bay National Marine Sanctuary (MBNMS), had placed on the operation of the Business and Tourism Activity Panel, a working group new to the MBNMS Advisory Council.

As you are aware from prior correspondence and conversation, the National Marine Sanctuary Program places a high value on our Advisory Councils and the contributions made by the members. However, we also recognize that Advisory Councils and all the working groups and subcommittees formed under each Advisory Council increase the administrative burden placed on our staffs and resources. Bill is responsible for balancing the needs of the Advisory Council and its subgroups against the duties of his staff members. Placing certain basic parameters on how a new working group will meet is within Bill's responsibilities as Sanctuary Superintendent. As a general rule, anything relating to the operation of a Sanctuary Advisory Council, an advisory group to the Sanctuary Manager, is subject to the discretion of the Sanctuary Manager, per the National Marine Sanctuaries Act, the Council Implementation Handbook, and individual Council Charters.

I also understand that the co-chairs of the Business and Tourism Activity Panel stated at the Advisory Council meeting that they were fine with and happy to work within the parameters Bill and his staff needed to identify. Chairs of other Advisory Council working groups also spoke up at the meeting about the need for the new working group to collaborate on all its businesses with the Sanctuary staff. We believe these parameters will not hinder the productivity of the panel.



I appreciate your continuing service on the MBNMS Advisory Council as Diving Representative. If you have additional questions or concerns about this issue, please feel free to discuss them with Bill.

Sincerely,



Daniel J. Basta
Director

National Marine Sanctuary Program